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Tuesday, January 3, 1995

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Tuesday, January 3, 1995 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:15 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 8.

Noted absent at first roll call:

Supervisors Conroy, Hsieh, Shelley - 3.

Quorum present.

Supervisor Conroy was noted present at 2:20 p.m.

Supervisor Hsieh excused, on official leave of absence.

Supervisor Shelley excused. (See infra.)

Supervisor Shelley Excused

The Clerk announced that Supervisor Shelley had requested to be excused from attendance today.

Supervisor Leal, seconded by Supervisor Maher, moved to excuse Supervisor Shelley from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 8.

Absent: Supervisors Conroy, Hsieh, Shelley - 3.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Leal, seconded by Supervisor Kaufman, moved that the Journals of Proceedings for Monday, December 5, 1994, and Monday, December 12, 1994, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 8.

Absent: Supervisors Conroy, Hsieh, Shelley - 3.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, School District, \$32,161,000]  
Ordinance appropriating \$32,161,000, San Francisco Unified School District, of school bond proceeds and interest earnings for capital improvements to various school facilities for fiscal year 1994-95. (Supervisor Alioto)

File 101-94-37, Ordinance No. 5-95

Finally passed.

[Appropriation, Water Department]

Ordinance appropriating and rescinding \$663,000 of Water Department operating funds to programmatic project (Pleasanton Property Development Plan) for fiscal year 1994-95; placing \$283,500 on reserve. (Supervisor Hsieh)

File 101-94-38, Ordinance No. 6-95

Finally passed.

[Appropriation, Community Development]

Ordinance appropriating \$148,445 from the Dispute Resolution Program Fund to allow the Mayor's Office of Community Development to continue contracts for dispute resolution services in 1994-95; providing for ratification of actions previously taken. (Supervisor Hsieh)

File 101-94-39, Ordinance No. 7-95

Finally passed.

[Appropriation, Fire Department]

Ordinance appropriating \$9,400,000, Fire Department, of Fire Protection Bond proceeds for capital improvements to various fire stations for fiscal year 1994-1995; placing \$4,630,882 on reserve. (Supervisors Hsieh, Alioto)

File 101-94-40, Ordinance No. 8-95

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Lease Modification, Airport, USAir]

Ordinance approving Modification No. 7 of Lease and Use Agreement between USAir, Inc. and City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-94-17, Ordinance No.

Passed for second reading.

[Settlement of Litigation, Independent Housing]

Ordinance authorizing settlement of litigation of Independent Housing Services and Stanley Pauer vs. City and County et al., for staffing and procedural commitments, \$100,000 for contractual services for auditing and training, and \$35,000 in attorney's fees pursuant to a written settlement agreement. (City Attorney)

File 45-94-67, Ordinance No.

(Superior Court No. 955-999.)

Passed for second reading.

[Settlement of Litigation, Bernard Andrzejewski]

Ordinance authorizing settlement of litigation of Bernard Andrzejewski, against the City and County by payment of \$250,000. (City Attorney)

File 45-94-68, Ordinance No.

(Superior Court No. 955-560.)

Passed for second reading.

[Settlement of Litigation, Debra Rominger]

Ordinance authorizing settlement of litigation of Debra Rominger against the City and County by payment of \$15,000. (City Attorney)

File 45-94-69, Ordinance No.

(Superior Court No. 948-679.)

Passed for second reading.

[Settlement of Litigation, Edward and Connie Canavan]

Ordinance authorizing settlement of litigation of the City and County against Edward Canavan and Connie Canavan for \$30,000. (City Attorney)

File 46-94-15, Ordinance No.

(Superior Court No. 957-571.)

Passed for second reading.

[Settlement of Litigation, California Medical Association]

Ordinance authorizing settlement of City and County v. California Medical Association Properties, Inc., et al., upon receipt of the sum of \$5,100 and dismissal of complaint. (City Attorney)

File 46-94-16, Ordinance No.

(Municipal Court Case No. 107208.)

Passed for second reading.

[Lease, Pier 47, United Shellfish Company]

Ordinance approving lease assignment and amendment between the United Shellfish Company and the City and County, operating by and through the Port Commission for the wholesale fish processing and retail services for commercial and sports fishing at Fisherman's Wharf. (Port Commission)

File 65-94-18, Ordinance No.

Passed for second reading.

Adopted

[Contract Award Extension, Water Dept. WD-2159R]

Resolution approving an extension of time for award of Water Department Contract No. WD-2159R; see File 61-94-7.1. (Public Utilities Commission)

File 61-94-7, Resolution No. 12-95

Adopted.

[Return of Bid Security, Contract WD-2159R]

Resolution approving return of a portion of bid security to low bidder for Water Department Contract for Forest Hill concrete tank interior coating. (Public Utilities Commission)

File 61-94-7.1, Resolution No. 13-95

Adopted.

[Lease Amendment, 1540 Market Street]

Resolution authorizing amendment to lease of real property at 1540 Market Street, Suite 250, for the Tobacco Free Project, Department of Public Health. (Real Estate Department)

File 64-94-21, Resolution No. 14-95

Adopted.

[State Disability Insurance Coverage]

Resolution authorizing enrollment of Classification 8240 Police Communication Shift Supervisor, in the State Disability Insurance Program. (Department of Human Resources)

File 89-94-18, Resolution No. 16-95

Adopted.

[Grant, Bernal Heights Landscape Buffering Project]

Resolution authorizing the Department of Public Works to apply for retroactively, accept and expend grant funding in the amount of \$30,000 from the State of California Resources Agency to fund landscaping in the Bernal Heights area and waiving indirect costs. (Department of Public Works)

File 148-94-13, Resolution No. 25-95

Adopted.

[Agreement, DPW - S.F. Unified School District]

Resolution authorizing the Director of Public Works to enter into an agreement with the San Francisco Unified School District, for the use of Yick Wo Elementary School yard, which agreement provides for indemnification from claims or other damages which may arise as a result of performance under said agreement. (Department of Public Works)

File 172-94-46, Resolution No. 29-95

Adopted.

Recommendations of Health, Public Safety and Environment Committee

Finally Passed

[General Assistance-Exempt Loans]

Ordinance amending Administrative Code, relating to exempt income under the General Assistance Program. (Supervisors Alioto, Bierman, Hallinan)

File 97-94-40, Ordinance No. 1-95

(Amends Section 20.56.11.)

Finally passed.

[New Employee Registry]

Ordinance amending Administrative Code, requiring the Controller to file with the State Employment Development Department information on persons employed by the City and County of San Francisco. (Supervisors Maher, Leal, Alioto)

File 97-93-64, Ordinance No. 2-95

(Adds Section 18.14.)

Finally passed.

[Child Support Compliance]

Ordinance amending Part III, Article 12-B of the Municipal Code, to prohibit the issuance of an annual Business Registration Certificate to an individual who is out of compliance with a Child Support Order or judgment. (Supervisors Maher, Leal, Alioto)

File 127-94-12, Ordinance No. 9-95

(Adds Section 1007.4.)

Finally passed.

Tuesday, January 3, 1995

Recommendation of Housing and Land Use Committee

Adopted

[Stop Signs]  
Resolution designating Ninth Avenue and Ortega Street as a four-way "Stop" intersection. (Supervisor Shelley)

File 18-94-20, Resolution No. 11-95

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 8.

Absent: Supervisors Conroy, Hsieh, Shelley - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

Consideration of Mayor's Disapproval

Consideration Continued

[Notification of Labor Disputes]  
Resolution urging the Convention and Visitors Bureau to advise tourists and other visitors to the City and local travel agencies of the existence of labor disputes. (Supervisors Bierman, Migden, Hallinan, Alioto, Leal, Kaufman, Hsieh, Maher, Kennedy)

File 176-94-11, Resolution No.

(December 12, 1994 - Adopted.  
December 23, 1994 - Returned disapproved by Mayor.)

The Clerk indicated the Board shall not reconsider the legislation until the first meeting after the message from the Mayor is read to the Board, pursuant to Rule 2.9a of the Rules of Order of the Board of Supervisors.

Supervisor Bierman, seconded by Supervisor Kennedy, moved to continue consideration to January 9, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 8.

Absent: Supervisors Conroy, Hsieh, Shelley - 3.

Recommendations of Budget Committee

Finally Passed

[Appropriations, Sheriff, District Attorney, Adult Probation]  
Ordinance appropriating and rescinding \$419,709 from the Sheriff and appropriating \$252,764 of jail overcrowding fines and \$142,481 from the General Fund Reserve to the District Attorney, Sheriff and Adult Probation Departments for salaries, fringe benefits, other non-personal services and lease purchase of equipment and creating eleven positions for implementation of programs to minimize jail overcrowding for fiscal year 1994-95; placing \$252,764 on reserve. (Supervisor Alioto)

File 101-94-36, Ordinance No. 3-95

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Hsieh, Shelley - 2.

[Annual Salary Ordinance]

Ordinance amending Annual Salary Ordinance, 1994-95, Sheriff, District Attorney and Adult Probation Departments, reflecting the addition of eleven positions designed to reduce jail overcrowding; companion measure to File 101-94-36. (Supervisor Alioto)

File 102-94-6, Ordinance No. 4-95

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Hsieh, Shelley - 2.

NEW BUSINESS

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Workers' Compensation Program]

Ordinance amending Administrative Code, transferring the administration of the Workers' Compensation Program to the Human Resources Department effective December 31, 1994, and changing the constituency of the Workers' Compensation Task Force. (Supervisors Kaufman, Conroy, Leal, Alioto)

File 97-94-79, Ordinance No.

(Fiscal Impact.)

(Deletes Sections 16.66 and 16.83;

Amends Sections 16.81, 16.82, 16.83-1 and 16.83-2.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Hsieh, Shelley - 2.

Adopted

[State Grant, "Spousal Abuser Prosecution Program"]

Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds not to exceed \$150,000 available through the California Department of Justice for a project entitled "Spousal Abuser Prosecution Program" for the nine-month period October 1, 1994 through June 30, 1995, placing \$40,000 on reserve. (District Attorney)

File 138-94-12, Resolution No. 8-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Hsieh, Shelley - 2.

[State Grant, Violence Prevention]

Resolution authorizing the Department of Public Health, Community Public Health Services, to apply for retroactively and accept and expend a grant of \$177,139, which includes indirect costs in the amount of \$16,103, based on ten percent of salaries, from the State Department of Health Services to increase the capacity of the Department for supporting violence prevention efforts; providing for ratification of action previously taken. (Supervisor Alioto)

File 146-94-32, Resolution No. 22-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Hsieh, Shelley - 2.



[Federal Grant, General Assistance Recipients]

Resolution authorizing the Department of Public Health, Community Public Health Services, to retroactively apply for and accept and expend a grant of \$299,000, which includes indirect costs in the amount of \$14,959, based on twenty-two percent of salaries, from the Social Security Administration to assist recipients of General Assistance who may be SSI eligible to apply for and receive SSI/SSA benefits; providing for ratification of action previously taken. (Department of Public Health)

File 146-94-33, Resolution No. 23-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Hsieh, Shelley - 2.

[State Grant, Used Oil Recycling]

Resolution authorizing the Department of Public Works to apply for, accept and expend \$235,814 in used oil recycling grant funding from the California Integrated Waste Management Board; waiving indirect costs; providing for ratification of action previously taken; placing \$195,521 on reserve. (Department of Public Works)

File 148-94-12, Resolution No. 24-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Hsieh, Shelley - 2.

[Hold Harmless and Net Negotiated Amount Agreement]

Resolution authorizing the Department of Public Health, Community Substance Abuse Services to enter into a hold harmless and Net Negotiated Amount agreement retroactive to July 1, 1994 for the term July 1, 1994 through June 30, 1997 with the State of California, Department of Alcohol and Drug Programs as a condition of receiving State funds for substance abuse treatment; authorizing and designating Larry Meredith, Ph.D., Director of Substance Abuse Services to sign said agreement and to approve contract amendments for transfers of less than ten percent (10%) of the contracted amount. (Department of Public Health)

File 172-94-39, Resolution No. 28-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Hsieh, Shelley - 2.

[Grant, Automate Muni Railway Public Information System]

Resolution authorizing the Director of Public Transportation to apply for, accept, and expend \$28,000 from regional revenues for a demonstration grant to procure related items to automate Muni's public timetable information system, and waiving all indirect costs associated with the grant; providing for ratification of action previously taken. (Public Transportation Commission)

File 293-94-1, Resolution No. 30-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Hsieh, Shelley - 2.

[Federal Grant, Nine Muni Railway Capital Projects]

Resolution authorizing the Public Transportation Commission to apply for \$37,203,832 of Federal Surface Transportation Program and Congestion Management Air Quality Capital Assistance, and Section 26 Capital Assistance, and \$17,843,915 of State Transit Capital Improvement Funds, State Traffic Systems Management Funds, State Urban Rail Bond Funds, State Clean Air and Transportation Improvement Act Bond Funds, and \$22,794,484 from various local match sources such as from State Traffic Systems Management Funds, State Transit Assistance Funds, Transportation Development Act Funds, Bridge Toll Net Revenues, Regional Measure One Funds, Gas Tax Revenues, Transit Impact Development Fees, San Francisco Municipal

Railway Improvement Corporation Funds, and/or San Francisco County Transportation Sales Taxes for nine Municipal Railway Projects, including \$3,708,639 of indirect costs. (Public Transportation Commission)

File 293-94-3, Resolution No. 31-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Hsieh, Shelley - 2.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Landmark Designation, Balboa High School]

Ordinance designating Balboa High School as a landmark pursuant to Article 10 of the City Planning Code. (Supervisors Bierman, Alioto, Conroy)

File 90-94-1, Ordinance No.

(Approved by City Planning Commission Resolution No. 13763.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Hsieh, Shelley - 2.

In connection with the above item, Supervisor Conroy requested to be added as co-sponsor.

Adopted

[Street Name Change, Penny Lane]

Resolution approving the designation of an unnamed street in the Glen Park area of San Francisco to be officially named Penny Lane. (Supervisors Leal, Alioto)

File 75-94-2, Resolution No. 15-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Hsieh, Shelley - 2.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

[South Bayshore Redevelopment Survey Area]

Resolution designating and describing a survey area within the City and County (in the South Bayshore community), pursuant to the California Community Redevelopment Law. (Redevelopment Agency)

File 161-94-8, Resolution No. 26-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Hsieh, Shelley - 2.

Recommendation of Joint Economic Vitality  
and Social Policy Budget Committee

Adopted

[Visitacion Valley Memorandum of Understanding]

Resolution urging the Mayor to enter into a Memorandum of Understanding with the U.S. Department of

Housing and Urban Development for the replacement of Geneva Towers and urging HUD to abide by the City's just cause eviction law and respect the rights of Geneva Towers tenants. (Supervisors Kennedy, Alioto)

File 13-94-29.1, Resolution No. 10-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Hsieh, Shelley - 2.

Recommendations of Rules Committee

Adopted

[Appointments]

Resolution affirming retention of members of the Board of Directors, Golden Gate Bridge, Highway and Transportation District; effective January 8, 1995. (Rules Committee)

File 92-94-57, Resolution No. 17-95

(Stephan C. Leonoudakis, vice himself, Seat No. 50301;  
Robert McDonnell, vice himself, Seat No. 50303;  
Robert Ross, vice himself, Seat No. 50304.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Hsieh, Shelley - 2.

Referred to Committee

(Supervisor Maher excused from voting in Committee.)

[Appointment]

Resolution appointing Bill Maher, as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District; effective January 8, 1995. (Rules Committee)

File 92-94-57.1, Resolution No.

(Bill Maher, vice James R. Bronkema, Seat No. 50307.)

Supervisor Maher Excused from Voting

The Clerk announced that Supervisor Maher requested to be excused from voting because of a possible conflict of interest.

Supervisor Leal, seconded by Supervisor Migden, moved to excuse Supervisor Maher from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

In response to Supervisor Hallinan, Deputy City Attorney Ted Lakey stated that if, in fact, there was a problem with the action of the Rules Committee, the way to correct it would be to send the matter back to committee for reconsideration and report back.

Supervisor Hallinan, seconded by Supervisor Migden, moved to rerefer to Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden - 8.

Excused: Supervisor Maher - 1.

Absent: Supervisors Hsieh, Shelley - 2.

Adopted

[Appointment]

Resolution affirming retention of Supervisor Willie B. Kennedy, as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District; effective January 8, 1995. (Rules Committee)

File 92-94-58, Resolution No. 18-95

Supervisor Kennedy Excused from Voting

The Clerk announced that Supervisor Kennedy requested to be excused from voting because of a possible conflict of interest.

Supervisor Leal, seconded by Supervisor Hallinan, moved to excuse Supervisor Kennedy from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Hsieh, Shelley - 2.

The roll was called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Leal, Maher, Migden - 8.

Excused: Supervisor Kennedy - 1.

Absent: Supervisors Hsieh, Shelley - 2.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair.

[Appointment]

Resolution affirming retention of Supervisor Angela Alioto, as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District; effective January 8, 1995. (Rules Committee)

File 92-94-59, Resolution No. 19-95

Supervisor Alioto Excused from Voting

The Clerk announced that Supervisor Alioto requested to be excused from voting because of possible conflict of interest.

Supervisor Kaufman, seconded by Supervisor Leal, moved to excuse Supervisor Alioto from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Hsieh, Shelley - 2.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Leal, Migden - 8.

Excused: Supervisor Alioto - 1.

Absent: Supervisors Hsieh, Shelley - 2.

(Supervisor Migden excused from voting in Committee.)

[Appointment]

Resolution appointing Supervisor Carole Migden, as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District; effective January 8, 1995. (Rules Committee)

File 92-94-60, Resolution No. 20-95

(Supervisor Carole Migden, vice Supervisor Bill Maher, term expired.)

Supervisor Migden Excused from Voting

The Clerk announced that Supervisor Migden had requested to be excused from voting.

Supervisor Maher, seconded by Supervisor Kaufman, moved to excuse Supervisor Migden from voting because of a possible conflict of interest.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Hsieh, Shelley - 2.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher - 8.

Excused: Supervisor Migden - 1.

Absent: Supervisors Hsieh, Shelley - 2.

The President resumed the Chair.

Recommendation of Select Committee on Base Closures

Adopted

[Treasure Island/Yerba Buena Island Survey Areas]

Resolution designating and describing a survey area Treasure Island and Yerba Buena Island within the City and County pursuant to the California Community Redevelopment Law. (Redevelopment Agency)

File 161-94-9, Resolution No. 27-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Hsieh, Shelley - 2.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public hearing]

Hearing of appeal from the decision of the City Planning Commission by its Motion No. 13770, dated November 3, 1994, approving Conditional Use Application No. 94.488C, for conditional use authorization to establish a small scale, retail stock brokerage office defined as business or professional service by Section 790.108 of the Planning Code in the West Portal Avenue Neighborhood Commercial District on property located at 61 West Portal Avenue; Lot 24A in Assessor's Block 2979-A.

File 37-94-8

(Appeal filed December 1, 1994.)

(Environmental Review Status: Categorically Exempt.)

(December 19, 1994 - Consideration continued to January 3, 1995.)

The following persons were sworn in and granted privilege of the floor:

Appellants:

Bud Wilson; Dehnert Queen; Helen Dawson; Art; Miralomar Park Improvement Club; Anita Theoharis; Lawrence Mayhem; Elizabeth M. Mettling.

Respondents:

Robert Passmore, representing City Planning Commission;  
Daniel P. Divita; Kim Law; Neal Mitchell; Charles; Patricia Clarke; Nadine Koss; Bob Voss; Warren R. White; Jeff A. Goodman; Ray Harless; George Stratigos; Richard Laurence.

A rebuttal period was allowed.

The President then declared the hearing closed.

Tuesday, January 3, 1995

Consideration Continued

(Only one of the following two motions should be adopted.)

[Zoning Appeal]

Motion approving decision of the City Planning Commission by its Motion No. 13770, approving Conditional Use Application No. 94.488C, on property located at 61 West Portal Avenue, and adopting findings pursuant to City Planning Code Section 101.1.

File 37-94-8.1

Supervisor Migden, seconded by Supervisor Bierman, moved to continue consideration to January 9, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Hsieh, Shelley - 2.

Refused Adoption; Rescinded;  
Consideration Continued

[Zoning Appeal]

Motion disapproving decision of the City Planning Commission by its Motion No. 13770, approving Conditional Use Application No. 94.488C, on property located at 61 West Portal Avenue, and adopting findings pursuant to City Planning Code Section 101.1.

File 37-94-8.2

(December 19, 1994 - Consideration continued to January 3, 1995.)

Supervisor Hallinan, seconded by Supervisor Bierman, moved adoption.

Refused adoption by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Leal, Maher, Migden - 7.

Noes: Supervisors Kaufman, Kennedy - 2.

Absent: Supervisors Hsieh, Shelley - 2.

Supervisor Migden, seconded by Supervisor Bierman, moved to rescind the previous vote.

Motion to rescind the vote adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Hsieh, Shelley - 2.

In response to Supervisor Hallinan's inquiry concerning the new composition of the Board on January 9, 1995, Deputy City Attorney Ted Lakey stated the absent members and the two newly elected supervisors may vote if they state for the record that they have listened to the tapes, reviewed the file and are prepared to vote.

Clerk to provide copies of audio tape of appeal hearing to Supervisors Hsieh, Shelley and Supervisors-elect Ammiano and Teng for their review, indicating that the City Attorney advises the absent members may vote if they state for the record that they have listened to the tapes, reviewed the file and are prepared to vote.

Supervisor Migden, seconded by Supervisor Bierman, moved to continue consideration to January 9, 1995.

Motion to continue consideration adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Hsieh, Shelley - 2.

Consideration Continued



[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 94.488C on property located at 61 West Portal Avenue, for action by the Board at its next meeting.

File 37-94-8.3

(December 19, 1994 - Consideration continued to January 3, 1995.)

Supervisor Migden, seconded by Supervisor Bierman, moved to continue consideration to January 9, 1995.

Motion to continue consideration adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Hsieh, Shelley - 2.

COMMITTEE REPORTS

Recommendation of Rules Committee

Adopted

[Appointment]

Resolution appointing Supervisor Kevin Shelley, as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District; effective January 8, 1995. (Clerk of the Board)

File 92-94-69, Resolution No. 21-95

(Supervisor Kevin Shelley, vice Supervisor Terence Hallinan, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Hsieh, Shelley - 2.

PUBLIC COMMENT

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the Public Comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Megahertz Radio Contract]

Motion directing the City Attorney to advise the Chief Administrative Officer and the General Manager of the Department of Electricity and Telecommunications of Federal District Court Judge Vaughn Walker's ruling prohibiting an award of an 800 megahertz contract without competitive bidding. (Supervisor Alioto)

File 229-94-002.02.

(December 19, 1994 - Introduced in Board for consideration on January 3, 1995.)

Adopted.

The foregoing item on the For Adoption Without Committee Reference Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Hsieh, Shelley - 2.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed from Immediate Adoption Calendar

Supervisor Migden, at the request of Supervisor Alioto, requested that the following measures be severed from the Immediate Adoption Calendar and considered separately.

Prior to hearing farewell remarks from departing Supervisor Annemarie Conroy and Supervisor Bill Maher, various members of the Board of Supervisors gave special acknowledgments to them.

Adopted

[Commend Bill Maher]

Resolution commending the Honorable Bill Maher for his distinguished service on the Board of Supervisors. (Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley)

File 006-94-080, Resolution No. 1-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Kaufman, Kennedy, Leal, Migden - 7.

Absent: Supervisors Hallinan, Hsieh, Maher, Shelley - 4.

[Commend Annemarie Conroy]

Resolution commending the Honorable Annemarie Conroy for her distinguished service on the Board of Supervisors. (Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley)

File 006-94-081, Resolution No. 2-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Kaufman, Kennedy, Leal, Maher, Migden - 8.

Absent: Supervisors Hallinan, Hsieh, Shelley - 3.

The Board resumed its consideration of the following items on the Immediate Adoption Calendar.

Immediate Adoption Calendar

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-1, Resolution No. 3-95

(Mary Gomez Daddio, member, Human Rights Commission, December 25 - 31; Patrick A. Murphy, member, Airports Commission, December 20 - 21; Louise H. Renne, City Attorney, January 3 - 5, 1995; Anthony D. Ribera, Chief of Police, December 27 - 28, 1994.

Adopted.

[Commendation John Barber]

Resolution congratulating John Barber for his outstanding service to the people of San Francisco. (Supervisor Maher)

File 6-94-82, Resolution No. 5-95



Adopted.

[Commendation Chez Michel]

Resolution congratulating Chez Michel on its re-opening and its status as one of the City's finest restaurants. (Supervisor Maher, Alioto, Kaufman)

File 6-94-83, Resolution No. 6-95

Adopted.

In connection with the above item, Supervisors Alioto and Kaufman requested to be added as co-sponsors.

[Black Rhino Bullets]

Resolution urging the State of California and the Congress of the United States of America to ban outright the manufacture, sale, and use of Black Rhino, as well as any and all such expressly lethal ammunition. (Supervisors Maher, Alioto)

File 13-94-34, Resolution No. 7-94

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Kaufman, Leal, Maher, Migden - 7.

Absent: Supervisors Hallinan, Hsieh, Kennedy, Shelley - 4.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board adopted the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board find by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Migden, seconded by Supervisor Maher, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Hsieh, Shelley - 2.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Migden, seconded by Supervisor Hallinan, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Hsieh, Shelley - 2.

[Imperative Resolutions, if any]

Adopted

[Steve Young's Record-Breaking Season]

Resolution commending San Francisco 49ers Quarterback Steve Young on his record-breaking season, where he broke the record for the highest single season quarterback rating in National Football League history.

File 006-95-001, Resolution No. 4-95

Supervisors Migden, Leal, Alioto, Hallinan, Kaufman presented for immediate adoption.

Adopted by the following vote: .

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Hsieh, Shelley - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Family Violence Council]

Ordinance amending Administrative Code by adding Sections 5.190 through 5.190-2 to establish the Family Violence Council as a division of the Commission on the Status of Women. Supervisors Conroy, Kaufman, Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 097-95-001.

[Family Violence Advisory Committee]

Resolution urging the Presiding Judge of the Superior Court, the Presiding Judge of the Municipal Court and urging the Mayor to urge the Commission on the Status of Women to create a Family Violence Advisory Committee for the purpose of developing an organizational structure and recommendations for the establishment of a Family Violence Council. Supervisors Conroy, Kaufman, Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 242-95-001.

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Migden presented. Referred to Board for Adoption Without Committee Reference Calendar January 9, 1995.

File 030-95-001.

Referred to Committee

[Retention Schedule of Board of Supervisors]

Motion approving Board of Supervisors retention schedule and authorizing the Clerk of the Board to adjust the schedule to increase retention periods and requiring Board approval of additions and/or reductions in retention periods. Supervisor Alioto presented. Referred to Rules Committee.

File 054-95-001.

[Police Raid on AIDS Benefit]

Hearing to consider the Police Department's ABC New Year's Day raid on a benefit event for Visual Aid at 938 Harrison Street. Supervisors Hallinan, Alioto, Migden, Bierman, Leal presented. Referred to Health/Public Safety/Environment Committee.

File 207-95-001.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisors Conroy, Kaufman, that City Attorney prepare motion directing the Budget Analyst to prepare a report on the amount of money spent on and committed to dealing with the issue of domestic violence which includes all departments, especially the Police Department, Department of Public Health, the Courts, the Department of Social Services, the Commission on the Status of Women and the San Francisco Unified School District.

Announcement

On behalf of the entire Board, Supervisor Hallinan congratulated Budget Analyst Harvey Rose on the birth of his first grandson, Nicholas Bucel.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Edward DeBartolo, Sr. (By the entire Board)  
George Ballou (Supervisor Hsieh)  
Ida Lundberg Gries (Supervisor Hallinan)  
Dorothy Mae Howard (Supervisor Kennedy)  
Donna Ridley (Supervisor Kennedy)  
Charles A. Barca (Supervisor Conroy)  
Helen Foos (Supervisor Kaufman)  
William J. Flanagan (Supervisors Leal, Alioto)  
John Eric Teamer (Supervisor Leal)

File 2-95-1

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:50 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 23, 1995

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



Monday, January 9, 1995

# **Journal of Proceedings**

*The Minutes of the*

# **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, January 9, 1995 - 10:00 a.m.

The Board of Supervisors of the City and County of San Francisco met in special session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 10:17 a.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Quorum present.

COMMUNICATIONS

The Clerk presented the following two communications:

Letter from the Office of the Controller dated January 9, 1995 notifying the Board that a recorded bond is on file for each of the following members of the Board of Supervisors:

Supervisor Angela Alioto  
Supervisor Tom Ammiano  
Supervisor Sue Bierman  
Supervisor Terence Tyrone Hallinan  
Supervisor Tom Hsieh  
Supervisor Willie Kennedy  
Supervisor Barbara Kaufman  
Supervisor Susan Leal  
Supervisor Carole Migden  
Supervisor Kevin Shelley  
Supervisor Mabel Teng.

Communication from the Registrar of Voters dated December 1, 1994 certifying the results of the November 8, 1994 election and that the following six candidates received the highest number of votes for the Board of Supervisors:

Tom Ammiano	97,230
Susan Leal	102,442
Carole Migden	106,417
Kevin Shelley	106,791
Mabel Teng	92,089.

Administration of Oaths

President Alioto introduced the Honorable John A. Ertola, retired Judge, San Francisco Superior Court, to administer the oath of office to those persons who were elected and requested each person named above to please rise and stand at their respective desks.

Thereupon, Judge Ertola administered the oath of office to the following members of the Board of Supervisors:

Supervisors Ammiano, Leal, Migden, Shelley, Teng.

Remarks by Retiring President Angela Alioto

"After the November elections, it became even clearer to me that San Francisco is indeed an island - and I thank God every day that I live on that island.

In fact, I have had the extreme honor of being the President of the Board of Supervisors for the last two years - the head legislator of what I consider to be the greatest place on earth to live - San Francisco.

San Francisco, and its citizens, have always been well known and respected for their concern and

compassion for others; for their understanding of diversity and total acceptance of it; and for their respect and acknowledgment of the working class men and women that have made this City great.

San Franciscans strive to care for the equality of everyone, especially immigrants - since most of us are the sons and daughters of immigrants.

San Franciscans strive to care for those who have and particularly those who don't have. Most importantly, San Franciscans also strive to continue the tradition of demanding for, and getting, protection of basic human rights.

Since I have been Board President the last two years, we have, in my humble opinion, accomplished a great deal.

Through the leadership of the entire Board, we have successfully managed to protect vital health services that are so important to our citizens from a nationally copied smoking ban to our nationally copied Joint Task Force on the HIV Epidemic, we have been the leaders.

We've managed to protect the budgets of our libraries through Proposition E, and ensure a strong public library system for the people of our City for a very long time to come.

We've managed to protect the public safety of our citizens by passing very strong gun control laws and by demanding the full staffing of our police department.

And, we've managed to protect our small businesses and keep them strong by repealing the small business tax.

And now, colleagues, the City that we all love so much is probably facing the greatest challenge it has seen in years with the Republican Contract with America and the Republican administration in Sacramento. There is no doubt in my mind that the cuts proposed in Washington and Sacramento will hurt San Francisco. But, I am reassured that San Francisco's new Board of Supervisors, with Tom Ammiano and Mabel Teng, we are ready for the fight -- and fight we will.

For as you all know, we must preserve this precious island of compassion, hope, and - of course - know-how -- for ourselves and the future generations that are depending on us -- this new Board of Supervisors."

#### Installation of President Kevin F. Shelley

Supervisor Alioto recognized the new President, Kevin Shelley, and Supervisors Bierman and Kaufman escorted the newly elected President to the rostrum.

#### School of the Arts Brass Quintet

President Shelley, upon assuming the Chair, introduced members of the School of Arts brass quintet (Kevin Alvarez, Chris Dove, Danny Grewen, David Hernandez, Raymond Lee and band leader, Scott Lyken). The group gave a recital before the Board.

#### Presentation of Mayor Jordan

President Shelley officially welcomed the Honorable Frank Jordan, Mayor of San Francisco and afforded him an opportunity for brief remarks.

#### Remarks by Mayor

Mayor Jordan thanked the President and noted the united focus and smooth transition of democracy in action with two new supervisors, new expectations, and great hope for the new year. He hopes we can do all we can to communicate to the neighborhoods of San Francisco that the City act as a whole noted the diversity of this Board is a reflection of the City and County. He extended his help in any way to make the transition smooth and to work together. The Mayor congratulated Supervisors Tom Ammiano, Mabel Teng, Susan Leal, Carole Migden and Kevin Shelley. He said he feels the team is in place to get the job done. We have some difficult projects and priorities ahead of us because of less funding but the City that knows how shall always rise to the occasion. He said it's all hats off to the past coats off to the future; we have a great deal to do.

#### Presentation of Plaque

President Shelley, on behalf of the entire Board, presented a commendatory plaque to President Alioto, memorializing her term as President of the Board for the period January 8, 1993 to January 8, 1995.

#### Introduction of Supervisors and Members of their Families

The President introduced each Board member and afforded them the opportunity for brief remarks and for introduction of their respective families and close friends.

The Board recognized the following distinguished guests:

Honorable Nancy Pelosi, Congresswoman;  
Honorable Milton Marks, State Senator.



Reading by Supervisor Kennedy

Thru the years the Board of Supervisors has changed face,  
in keeping with the times and needs or setting a new face.  
We have seen many devoted supervisors come and go,  
The voters have that right, this they did show.

When the voters choose local officials to represent us all,  
They expect them to be strong, dedicated and stand tall.  
Every action should be done to give the citizens our best,  
If not they surely know how to protest.

Today I salute those who dared to serve,  
I give them the accolades which they deserve.  
For they served this city well with the citizens in mind,  
They were some of the best elected officials one could find.

They served this city with all they had,  
Pleasing many citizens while making others mad.

But that's the name of the game we sometimes play,  
We know full well the voters have the last say.

I welcome the new comers to the fold today,  
the voters have confidence your talents you'll display.  
We have lots of work yet to be done,  
which we are expected to do with little time for fun.

The task is not insurmountable as you know,  
it gets easier and easier with experience as you grow.  
You sometimes become overwhelmed with phone calls and mail,  
and having to explain your vote in every detail.

The thank you's, and pats on the back are few,  
Especially when you must consider everyone's view.  
As a legislator you can never really win,  
nor your promises can you ever defend.

On every issue there are people on each side,  
so let your intellect and research be your guide.  
Especially if with your decision you can sleep at night,  
Then you know your strategy and vote was right.

Just remember you will never please everyone,  
so just settle down do your homework and have fun.  
Otherwise the stress will become too great,  
And this job of yours you'll eventually hate.

So welcome aboard this eleven member team,  
Your expertise I know will help fulfill the dream,  
of solving all the many problems we still face,  
somehow, someday we must win this race.

It will take us all working together as one,  
to ever get this tremendous job done.  
This Board and the Mayor at times must agree,  
or disaster will surely follow if you don't heed the plea.

I welcome back Migden, Shelley and Leal,  
The voters proved they had served the citizens well.  
To our outgoing President you gave us your best,  
We know that all of us put you to the test.

But you came through just like the Champ you are,  
You'll go down in history a shining star.  
The President plays a significant role,  
helping to keep this Board under control.

Now President Shelley your challenge lies ahead,  
I know you are up to it and will face it unafraid.  
You understand the diversity that makes this city great,  
You believe in promoting understanding and not hate.

Monday, January 9, 1995

To govern this great city is not an easy task,  
but just a little cooperation from the public we ask.  
Its when we strive to please all the special interest groups in town,  
that we limit our effectiveness and lose precious ground.

AIDS, homelessness, the deficit, unemployment, and crime problems  
that we must solve,  
if not they will grow and continue to revolve.  
In 1995 we should strive to reach new heights,  
in doing City and County business we must all unite.

My fourteen years on this Board have been challenging indeed,  
which I've tried to meet and respond to the citizens need.  
Yes in two short years my term will end,  
and no more votes will I have to defend.

1995, and the years ahead we must develop a plan,  
we must face the problems and continue our demands,  
on the federal and state governments to abolish unfunded mandates,  
to give our cities and counties a financial break.

We must fight for the rights of those in need,  
to make sure the federal government, their cry heed.  
There is a move to balance federal budget on the back of the poor.  
Which is more than the cities and counties can endure.

To the staff we say thank you for a job well done,  
it's because of you many battles are won.  
For the research and analysis on you we depend.  
Your support and faithfulness make you a worthy friend.

Mr. Taylor your job is not an easy task,  
for you do everything legal the supervisors ask.  
For that we owe you a debt of gratitude.  
And all the clerks on your staff we must include.

Yes, we are all here and working as a team,  
carrying out our charter and the founders dream.  
So let's buckle down and as a team unite,  
For if we don't we will surely lose this fight.

Willie B. Kennedy  
January 9, 1995

#### Remarks of President Shelley

"Good Morning.

Before I begin, I want to take a moment to thank everyone who has shared their care and concern these past few weeks during my mother's illness.

My family and I deeply appreciate your thoughts for my mom's full and fast recovery. Your thoughtfulness has been very welcome.

Two years ago, I had the enjoyable honor of passing the presidency of the Board of Supervisors to Angela Alioto. It is still an honor -- but frankly more enjoyable now -- to be in the position of receiving the gavel from you.

Angela, I will try and live up to your high standards of energy and leadership and intend to continue to guide this board, as you did, towards improving the quality of life for all San Franciscans.

Having been so focused on my family these past few weeks, it is tempting for me to talk about how San Francisco is like a family. Although we don't enjoy the truly special ties which only a family shares, we all do share San Francisco as our home.

As everyone who has ever shared a home knows, that entails accepting certain responsibilities -- like making sure that all within the home are heard and their interests considered; like keeping it safe and clean; and hopefully, keeping it economically secure.

As I accept my new responsibilities, I am reminded that we will only succeed in those ventures if we, the people who run for office always first consider your interests -- the people who run for buses in the morning and those who run them for us; the people who run from crime in their neighborhood and those who protect us from that crime; the people who run our businesses and all of those who make our businesses run; and the people who receive healthcare services and those who administer healthcare.

With this in mind, as President, I intend to focus our attention to bringing government to the people. As Thomas Jefferson said, "Government should go to the people, the people should not have to go to their government."

In the last session of the board, we created the mechanisms to open government. Our historic sunshine ordinance will be implemented and that legacy will continue as all city deliberations will occur under the bright sunlight of our sunshine ordinance.

But we will not stop there.

We will immediately begin meeting in our neighborhoods and we will pass legislation requiring that notice of all Board of Supervisors appointments be published in our neighborhood newspapers. District elections will become a reality and full public input will be encouraged.

As we continue to reform our own process, through these and other measures, we will not lose sight of the public's desire to stem the tide of crime in our city. San Francisco will not fall victim to a -- foul tip, you're out -- approach. We must focus our attention on prevention. Guns kill people and they must be eliminated.

People deserve a 911 system that responds immediately to their calls. People deserve to have police officers walking beats in their neighborhoods and women deserve to be free of harassment and violence as they exercise their right to choose.

Last session, we passed the historic Clinic Protection Legislation and the Safe Streets Now Program. At the Senate hearings, Senator Jesse Helms referred to our own Midnight Basketball program as one of those "San Francisco style programs". I am very proud of our style programs.

Our efforts to make our home safe will not end here. Our neighborhoods, the very foundation of our city, will be preserved.

The residents of San Francisco have been confronted with unwanted chain store development. The proliferation of such development will end as this board will seek to strengthen zoning and planning codes to stop excessive commercialization in our neighborhoods.

San Francisco's natural beauty will also be preserved and our commitment to the environment will be supported.

Last session, we passed comprehensive litter abatement and graffiti removal legislation to help preserve the quality of life in our neighborhoods. This session, we will continue to support those efforts at recycling; at creating sustainable city and ensuring that the Presidio becomes a national park that all can enjoy.

As we look to making our home safer and cleaner, we must also ensure that the economic foundation of our home remains strong.

As President of the Board, I intend to look at ways to support our existing businesses and to create new jobs for all San Franciscans.

We will continue to turn the vast opportunities afforded by the closure of Treasure Island and Hunters Point Naval Shipyard into engines of economic growth and neighborhood empowerment, not bureaucratic quagmires. Treasure Island and Hunters Point will become key sites in our efforts to support our small business interests.

While making our economic base stronger, we will also continue the process of improving the way City Hall does business. We must accelerate our efforts to reform the way we do business.

Last year, the voters of San Francisco overwhelmingly supported mission driven budgeting. The voters fervently believed, as I do today, that program would save thousands and thousands, indeed millions, of dollars. Unfortunately, too many city departments have failed to those guidelines.

This Board, therefore, will immediately request an audit of mission driven budgeting, which City departments are currently using it and which are not. Making our local government more efficient will be a priority of this board.

The legislative agenda I have just spoken of will not forget the needs of our sick, our young, our agenda and the less fortunate among us. Your need and struggles may be overlooked under the new leadership in Washington D.C., but will never be forgotten in our home.

You have my commitment to have this Board pursue additional full funding for our AIDS and ARC programs and our world class public hospitals.

Too many of us have had to say good-bye to loved ones too soon in this city. We can't give up the fight.

As President of this Board, I will also seek to implement new low income housing programs and today, I will call for the continuation of our first time home buyer's mortgage credit program. We

Monday, January 9, 1995

will continue to find funding to keep our non profits and community development programs flourishing. And we will continue to vigilante maintain programs for the children of San Francisco.

As the Reverend Martin Luther King, Jr. said, " Leadership never succeeds from the top down; it only succeeds from the community up." As we hear the chorus of hatred and enmity from certain national and state leaders we, in San Francisco, will always remember the words of Dr. King and will never make any member of our home the scapegoat of society's ills. Over the next 2 years, the individual lives of all with whom we share our home will be honored, nurtured, and respected.

Diversity makes us stronger not weaker. Bringing government to neighborhoods, and solving the problems of public safety, economic vitality, homelessness, AIDS, and the whole host of issues which we care so deeply about will only occur if we keep politics and positioning to a minimum. We owe that to you, the people of San Francisco, whose home we share. As President of the Board of Supervisors over the next two years, I will do all I can to make sure that happens.

Thank you."

#### Announcement of Committee Assignments

The following Committee assignments were made by President Shelley, effective January 17, 1995:

#### Committee Membership

##### BUDGET COMMITTEE

Supervisors Hsieh, Kaufman, Bierman

##### ECONOMIC VITALITY AND SOCIAL POLICY COMMITTEE

Supervisors Kennedy, Kaufman, Hsieh

##### GOVERNMENT EFFICIENCY AND LABOR COMMITTEE

Supervisors Hallinan, Ammiano, Teng

##### HEALTH, PUBLIC SAFETY AND ENVIRONMENT COMMITTEE

Supervisors Alioto, Hallinan, Leal

##### HOUSING AND LAND USE COMMITTEE

Supervisors Migden, Bierman, Teng

##### RULES COMMITTEE

Supervisors Shelley, Leal, Ammiano

##### SELECT COMMITTEE ON BASE CLOSURES

Supervisors Shelley, Bierman, Kennedy

##### SELECT COMMITTEE ON CHARTER REFORM

Supervisors Kaufman, Leal, Teng

##### SELECT COMMITTEE ON MUNICIPAL PUBLIC POWER

Supervisors Alioto, Hallinan, Bierman

First-named Supervisor is Chair, second-named Supervisor is Vice-Chair, of the Committee.

#### ADJOURNMENT

There being no further business, the Board at the hour of 11:59 a.m. adjourned.

John L. Taylor, Clerk

Monday, January 9, 1995

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

\_\_\_\_\_  
Monday, January 9, 1995 - 2:00 p.m.  
\_\_\_\_\_

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:14 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Quorum present.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Alioto, moved that the Journal of Proceedings for Monday, December 19, 1994, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Presentation of Guests

Supervisor Bierman introduced and welcomed her son and daughter-in-law, Ben and Allison Bierman, and their three children.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Alioto requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendations of Government Efficiency and Labor Committee

Consideration Continued

[Settlement of Litigation, Independent Housing]  
Ordinance authorizing settlement of litigation of Independent Housing Services and Stanley Pauer vs. City and County et al., for staffing and procedural commitments, \$100,000 for contractual services for auditing and training, and \$35,000 in attorney's fees pursuant to a written settlement agreement. (City Attorney)

File 45-94-67, Ordinance No.

(Superior Court No. 955-999.)

Supervisor Alioto, seconded by Supervisor Kennedy, moved to continue consideration to January 17, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Supervisor Hsieh, requested that the following measure be severed from Consent Calendar and considered separately.

Recommendation of Government Efficiency and Labor Committee

Question Divided; Passed for Second Reading As Divided

[Workers' Compensation Program]

Ordinance amending Administrative Code, transferring the administration of the Workers' Compensation Program to the Human Resources Department effective December 31, 1994, ((and changing the constituency of the Workers' Compensation Task Force)). (Supervisors Kaufman, Conroy, Leal, Alioto)

File 97-94-79, Ordinance No.

(Fiscal Impact.)

(Deletes Sections 16.66 and 16.83;

Amends Sections 16.81, 16.82, ((16.83-1)) and 16.83-2.)

At the request of Supervisor Hsieh, the question was divided concerning Administrative Code Section 16.83-1 relative to changing the constituency of the Workers Compensation Task Force, so the matter could be considered separately.

The roll call was then called on the main ordinance and it was passed for second reading, as divided, by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley, Teng - 11.

Consideration Continued

[Workers Compensation Task Force]

Ordinance amending Administrative Code Section 16.83-1 relative to changing the constituency of the Workers Compensation Task Force. (Supervisors Kaufman, Conroy, Leal, Alioto)

File 97-94-79.1, Ordinance No.

Supervisor Hsieh, seconded by Supervisor Leal, moved to continue consideration to January 17, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

The Board resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Lease Modification, Airport, USAir]

Ordinance approving Modification No. 7 of Lease and Use Agreement between USAir, Inc. and City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-94-17, Ordinance No. 10-95

Finally passed.

[Settlement of Litigation, Bernard Andrzejewski]

Ordinance authorizing settlement of litigation of Bernard Andrzejewski, against the City and County by payment of \$250,000. (City Attorney)

File 45-94-68, Ordinance No. 12-95

(Superior Court No. 955-560.)

Finally passed.

[Settlement of Litigation, Debra Rominger]

Ordinance authorizing settlement of litigation of Debra Rominger against the City and County by payment of \$15,000. (City Attorney)

File 45-94-69, Ordinance No. 13-95

(Superior Court No. 948-679.)

Finally passed.

[Settlement of Litigation, Edward and Connie Canavan]

Ordinance authorizing settlement of litigation of the City and County against Edward Canavan and Connie Canavan for \$30,000. (City Attorney)

File 46-94-15, Ordinance No. 14-95

(Superior Court No. 957-571.)

Finally passed.

[Settlement of Litigation, California Medical Association]

Ordinance authorizing settlement of City and County v. California Medical Association Properties, Inc., et al., upon receipt of the sum of \$5,100 and dismissal of complaint. (City Attorney)

File 46-94-16, Ordinance No. 15-95

(Municipal Court Case No. 107208.)

Finally passed.

[Lease, Pier 47, United Shellfish Company]

Ordinance approving lease assignment and amendment between the United Shellfish Company and the City and County, operating by and through the Port Commission for the wholesale fish processing and retail services for commercial and sports fishing at Fisherman's Wharf. (Port Commission)

File 65-94-18, Ordinance No. 16-95

Finally passed.

#### Recommendation of Housing and Land Use Committee

Finally Passed

[Landmark Designation, Balboa High School]

Ordinance designating Balboa High School as a landmark pursuant to Article 10 of the City Planning Code. (Supervisors Bierman, Alioto, Conroy)

File 90-94-1, Ordinance No. 17-95

(Approved by City Planning Commission Resolution No. 13763.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

#### REGULAR CALENDAR

#### UNFINISHED BUSINESS



Consideration of Mayor's Disapproval

Adopted

[Notification of Labor Disputes]

Resolution urging the Convention and Visitors Bureau to advise tourists and other visitors to the City and local travel agencies of the existence of labor disputes. (Supervisors Bierman, Migden, Hallinan, Alioto, Leal, Kaufman, Hsieh, Maher, Kennedy)

File 176-94-11, Resolution No. 9-95

(December 12, 1994 - Adopted.

December 23, 1994 - Returned disapproved by Mayor.)

(January 3, 1995 - Consideration continued to January 9, 1995.)

The Clerk stated, "Shall the resolution be adopted notwithstanding the Mayor's veto?".

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Noes: Supervisor Kennedy - 1.

From the Clerk

(Only one of the following two motions should be adopted.)

Filed

[Zoning Appeal]

Motion approving decision of the City Planning Commission by its Motion No. 13770, approving Conditional Use Application No. 94.488C, on property located at 61 West Portal Avenue, and adopting findings pursuant to City Planning Code Section 101.1.

File 37-94-8.1

(January 3, 1995 - Consideration continued to January 9, 1995.)

No action taken; filed.

Adopted

[Zoning Appeal]

Motion disapproving decision of the City Planning Commission by its Motion No. 13770, approving Conditional Use Application No. 94.488C, on property located at 61 West Portal Avenue, and adopting findings pursuant to City Planning Code Section 101.1.

File 37-94-8.2

(January 3, 1995 - Consideration continued to January 9, 1995.)

Supervisor Hallinan, seconded by Supervisor Migden, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Leal, Migden, Shelley, Teng - 9.

Noes: Supervisors Kaufman, Kennedy - 2.

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 94.488C on property located at 61 West Portal Avenue, for action by the Board at its next meeting.

File 37-94-8.3

(January 3, 1995 - Consideration continued to January 9, 1995.)



Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Chief Administrative Officer]

Ordinance appropriating \$85,416, Chief Administrative Officer, for capital improvement project (upgrade city boilers) and rescinding \$85,416 from various Capital Improvement Projects, for fiscal year 1994-95; placing \$85,416 on reserve. (Controller)

File 101-94-43, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Appropriation, Library, \$6,604,630]

Ordinance appropriating \$6,604,630, Public Library, for salaries, fringe benefits, professional services, other non-personal services, materials and supplies, equipment and services of other departments and creating 100 positions to allow the Public Library to increase staffing, expand hours and purchase additional books (implement Proposition E) in fiscal year 1994-95; placing \$85,000 on reserve. (Supervisors Hsieh, Bierman, Leal, Alioto)

File 101-94-44, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Public Employment, Library, Add 100 Positions]

Ordinance amending Ordinance No. 293-94 (Annual Salary Ordinance, 1994-95) reflecting the addition of 100 positions in the Public Library, incorporating Proposition E Funds; companion measure to File 101-94-44. (Supervisors Hsieh, Bierman, Leal, Alioto)

File 102-94-7, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Appropriation, Library, \$3,965,940]

Ordinance appropriating \$3,965,940, Public Library, to augment baseline library services as defined by Charter Section 6.416 for fiscal year 1994-95. (Supervisors Hsieh, Bierman, Leal, Alioto)

File 101-94-45, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Franchise Application Fee]

Ordinance amending Administrative Code, to require franchise applicants to pay a fee to defray the City's costs of evaluating the application. (Supervisor Bierman)

File 97-94-77, Ordinance No.

(Fiscal Impact.)

(Adds Section 11.75.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Waive Statute of Limitations, \$527.96]

Resolution waiving the Statute of Limitations with respect to payment of certain warrants of the City and County, the sum of \$527.96 payable to Anne Vorhes, a legal obligation of the City and County of San Francisco. (Controller)

File 23-94-4, Resolution No. 33-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Recommendation of Housing and Land Use Committee

Adopted as amended

[Cesar Chavez Street]

Resolution renaming Army Street ((from Guerrero Street to Maryland Street)) Cesar Chavez Street in honor of his contributions to farm workers and their families. (Supervisors Maher, Leal, Bierman, Ammiano)

File 75-93-1.1, Resolution No. 32-95

Supervisor Leal, seconded by Supervisor Alioto, moved to amend title, page one, lines one and two and text, page two, lines seven and eight, by deleting the phrase "(from Guerrero Street to Maryland Street)".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisor Ammiano requested to be added as co-sponsor.

Recommendations of Rules Committee

Adopted

[Appointment]

Resolution appointing member to the Bicycle Advisory Committee, for three-year term ending December 31, 1997. (Rules Committee)

File 92-94-68.1, Resolution No. 35-95

(Albert S. Glenn, vice himself, Seat No. 24303/Environmental.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair.

[Appointment]

Resolution appointing member to the Association of Bay Area Governments Executive Board, for the unexpired portion of term ending June 30, 1995. (Rules Committee)

File 92-94-71, Resolution No. 36-95

(Supervisor Kevin F. Shelley, vice Supervisor Carole Migden, Seat No. 10302, resigned.)

Supervisor Shelley Excused from Voting

On the advice of the City Attorney, President Shelley requested to be excused from voting because of possible conflict of interest.

Thereupon, Supervisor Alioto, seconded by Supervisor Migden, moved to excuse President Shelley from voting.

Motion to excuse Supervisor Shelley from voting adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Excused: Supervisor Shelley - 1.

Adopted

[Ethics Compliance Analysis]

Motion directing the Board of Supervisors Budget Analyst to conduct a financial analysis of the resources allocated to compliance and enforcement of the City's ethics laws. (Supervisor Shelley)

File 165-94-12

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

The President resumed the Chair.

COMMITTEE REPORTS

Recommendations of Housing and Land Use Committee

Adopted

[Final Negative Declaration, 129, 150 Oak and 289 Fell Streets]

Resolution adopting Final Negative Declaration, finding and determining that the reclassification of property at 129 Oak Street, Lots 18, 19 and 20, Assessor's Block 837, 150 Oak Street, Lot 3, Assessor's Block 833, and 289 Fell Street, Lot 15, Assessor's Block 833, from a P District to an NC-3 District will have no significant impact on the environment, and adopting and incorporating findings of the Final Negative Declaration; companion measure to File 36-94-8.1. (Department of City Planning)

File 36-94-8, Resolution No. 34-95

Adopted by the following vote:

Monday, January 9, 1995

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

Passed for Second Reading

[Zoning Map Amendment, 129, 150 Oak and 289 Fell]

Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located at 129 Oak Street, Lots 18, 19 and 20, Assessor's Block 837, 150 Oak Street, Lot 3, Assessor's Block 833, and 289 Fell Street, Lot 15, Assessor's Block 833, from a P District to an NC-3 District and adopting findings pursuant to Planning Code Section 101.1; companion measure to File 36-94-8. (Department of City Planning)

File 36-94-8.1, Ordinance No.

(Approved by City Planning Commission Resolution No. 13791.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Doug Comstock, Convention and Visitors Bureau funding;  
Anna Hoffman, American Indian issues.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Migden)

File 030-95-001

(January 3, 1995 - Introduced in Board for consideration on January 9, 1995.)

Adopted.

[Final Map, 348 Church Street]

Motion approving final map of 348 Church Street, a condominium project, being a resubdivision of Lot 5 in Assessor's Block 3558, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-94-23

(January 3, 1995 - Introduced in Board for consideration on January 9, 1995.)

Adopted.

The foregoing items on the For Adoption without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Bierman, Hallinan - 2.

OFF CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Appropriation, Department of Social Services]

Ordinance appropriating \$87,273, Department of Social Services of Federal Title IVB revenue for contractual services to develop a family support and preservation program. Supervisor Kennedy presented. Referred to Budget Committee with request it be considered at a special meeting as soon as possible.

File 101-94-048.

Referred to Board

[Commend San Francisco Museum of Modern Art]

Resolution commending the San Francisco Museum of Modern Art on their grand opening. Supervisor Migden presented. Referred to Board for Adoption Without Committee Reference Calendar January 17, 1995.

File 006-95-002.

[Commend Lulann Sapp McGriff]

Resolution commending the outgoing President of the San Francisco NAACP, Lulann Sapp McGriff, for her many years of dedicated leadership and community services. Supervisors Shelley, Kennedy, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar January 17, 1995.

File 006-95-003.

Referred to Committee

[Mortgage Credit Certificates]

Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of mortgage credit certificates. Supervisor Shelley presented. Referred to Budget Committee.

File 212-95-001.

Requests for Hearings:

[Substance Abuse Treatment Services Funding]

Hearing to consider status report from the Department of Public Health on projected reduction of funds from the Federal Narcotics Forfeiture funds, state funded substance abuse perinatal services and transfers of general funds pursuant to a court ruling mandating treatment on demand for Medi-Cal recipients and its affect on substance abuse treatment services, especially those provided to families and any expected structural changes in substance abuse delivery systems to accommodate these reductions in funding. Supervisor Leal presented. Referred to Health/Public Safety/Environment Committee.

File 100-94-018.01.

[Civic Center Administrative Office Building]

Hearing to consider the feasibility of establishing a City administrative office building in the Civic Center. Supervisor Hsieh presented. Referred to Budget Committee.

File 186-95-001.

[Public Notice of Board Appointments]

Motion directing the Clerk of the Board of Supervisors to publicly notice Board of Supervisors appointments to City boards and commissions in neighborhood newspapers. Supervisor Shelley presented. Referred to Rules Committee.

File 054-95-002.

[Mission Driven Budgeting Analysis]

Motion directing the Board of Supervisors Budget Analyst to conduct a financial analysis of the cost savings to the City of adhering to a mission driven budgeting system and an audit of the City departments, boards and commissions compliance with the required mission driven budgeting process. Supervisor Shelley presented. Referred to Rules Committee.

File 165-95-001.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Hallinan, that letter of inquiry be sent to Executive Director, Port, requesting response by January 20, 1995, concerning the extent the Port plans to allow for the construction of a cogeneration facility on Port-owned property in adherence to the provisions of Proposition H, 1990; to clarify the details of the negotiations between the Port and the San Francisco Energy Company concerning such construction and why these negotiations are being conducted prior to the completion or release of the Waterfront Land Use Plan and environmental review.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Porter Mortell (Supervisor Alioto)  
Robert Marquis (Supervisors Migden, Kaufman, Bierman)

File 2-95-2

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:47 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 1, 1995

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

Tuesday, January 17, 1995

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

\_\_\_\_\_  
Tuesday, January 17, 1995 - 2:00 p.m.  
\_\_\_\_\_

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:04 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Hsieh, Kennedy, Leal, Shelley - 6.

Noted absent at first roll call:

Supervisors Bierman, Hallinan, Kaufman, Migden, Teng - 5.

Quorum present.

Supervisor Bierman was noted present at 2:05 p.m.

Supervisor Hallinan excused, on official leave of absence.

Supervisor Kaufman was noted present at 2:05 p.m.

Supervisor Migden was noted present at 2:05 p.m.

Supervisor Teng was noted present at 2:05 p.m.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair so the President could introduce some distinguished guests.

Presentation of Guests

Supervisor Shelley introduced and welcomed the following distinguished guests:

The Honorable Benjamin Liu, Ambassador, Taiwan;  
Mr. Benjamin Lo, Taipei Economic and Cultural Office, San Francisco;  
Mr. Joseph Ma, Special Assistant, Taipei Economic and Cultural Office, Taiwan.

Suspension of the Rules;  
Presentation Made

Supervisor Leal, seconded by Supervisor Hsieh, moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Mr. Benjamin Liu.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hallinan - 1.

President Shelley presented a Certificate of Honor to the Honorable Benjamin Liu.

Mr. Liu thanked the Board and extended good wishes and hope that both countries will prosper in their endeavors.

The President resumed the Chair.

CONSENT CALENDAR

Severed from Consent Calendar

At the request of Supervisor Bierman, the following measure was severed from Consent Calendar and considered separately.

Recommendation of Budget Committee

Referred to Committee

[Franchise Application Fee]

Ordinance amending Administrative Code, to require franchise applicants to pay a fee to defray the City's costs of evaluating the application. (Supervisor Bierman)

File 97-94-77, Ordinance No.

(Fiscal Impact.)

(Adds Section 11.75.)

Supervisor Bierman, seconded by Supervisor Leal, moved to rerefer to Committee.

Motion to rerefer to committee adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hallinan - 1.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Budget Committee

Finally Passed

[Appropriation, Chief Administrative Officer]

Ordinance appropriating \$85,416, Chief Administrative Officer, for capital improvement project (upgrade city boilers) and rescinding \$85,416 from various Capital Improvement Projects, for fiscal year 1994-95; placing \$85,416 on reserve. (Controller)

File 101-94-43, Ordinance No. 20-95

(Fiscal Impact.)

Finally passed.

[Appropriation, Library, \$6,604,630]

Ordinance appropriating \$6,604,630, Public Library, for salaries, fringe benefits, professional services, other non-personal services, materials and supplies, equipment and services of other departments and creating 100 positions to allow the Public Library to increase staffing, expand hours and purchase additional books (implement Proposition E) in fiscal year 1994-95; placing \$85,000 on reserve. (Supervisors Hsieh, Bierman, Leal, Alioto)

File 101-94-44, Ordinance No. 21-95

(Fiscal Impact.)

Finally passed.

[Public Employment, Library, Add 100 Positions]

Ordinance amending Ordinance No. 293-94 (Annual Salary Ordinance, 1994-95) reflecting the addition of 100 positions in the Public Library, incorporating Proposition E Funds; companion measure to File 101-94-44. (Supervisors Hsieh, Bierman, Leal, Alioto)

File 102-94-7, Ordinance No. 23-95

(Fiscal Impact.)

Finally passed.

[Appropriation, Library, \$3,965,940]  
Ordinance appropriating \$3,965,940, Public Library, to augment baseline library services as defined by Charter Section 6.416 for fiscal year 1994-95. (Supervisors Hsieh, Bierman, Leal, Alioto)

File 101-94-45, Ordinance No. 22-95

(Fiscal Impact.)

Finally passed.

Recommendations of Housing and Land Use Committee

Adopted

[Stop Intersections]

Resolution designating certain intersections as "Stop" Intersections. (Housing and Land Use Committee)

File 18-94-21, Resolution No. 42-95

Stop Signs - Establish

Fifteenth Avenue and Anza Street, northeast and southwest corners, stopping Anza Street traffic (makes this an all-way stop).

Forty-Third Avenue and Anza Street, northwest and southeast corners, stopping Forty-Third Avenue traffic (makes this an all-way stop).

Noe and Henry Streets, northwest and southeast corners, stopping Noe Street traffic (makes this an all-way stop).

Peru Avenue and Naples Street, northwest and southeast corners, stopping Naples Street traffic (makes this an all-way stop).

Adopted.

[Stop Intersection, Third Avenue and Geary Boulevard]

Resolution designating Third Avenue and Geary Boulevard as a "Stop" intersection; urging the installation of a stop light at this intersection as soon as possible. (Supervisor Maher)

File 20-94-18, Resolution No. 43-95

Stop Signs - Establish

Third Avenue and Geary Boulevard, northeast and southwest corners, stopping Geary Boulevard traffic (makes this an all-way Stop).

Adopted.

[Residential Parking Area "S", Duboce Triangle]

Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding Cumberland Street, between Noe and Sanchez Streets, both sides, and the west terminal of Cumberland Street, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-94-14, Resolution No. 45-95

Adopted.

[Residential Permit Parking Area "J", Sunset/Parnassus]

Resolution extending the boundaries of Residential Permit Parking Area "J" in the Sunset/Parnassus Area and adding Frederick Street, between Stanyan Street and Willard Avenue, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-94-15, Resolution No. 46-95

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10

Absent: Supervisor Hallinan - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

From the Clerk

Adopted

[Zoning Appeal Findings]

Motion adopting findings related to the appeal of the City Planning Commission's approval of Conditional Use Application No. 94.488C, which would authorize the establishment of a small scale, retail stock brokerage office (defined as a Business or Professional Service under Section 790.108 of the Planning Code) in the West Portal Avenue Neighborhood Commercial District on property located at 61 West Portal Avenue, Lot 24A in Assessor's Block 2979-A; sustaining the appeal and denying the granting of Conditional Use Application No. 94.488C. (Clerk of the Board)

File 37-94-8.4

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Leal, Migden, Shelley, Teng - 8.

Noes: Supervisors Kaufman, Kennedy - 2.

Absent: Supervisor Hallinan - 1.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Settlement of Litigation, Independent Housing]

Ordinance authorizing settlement of litigation of Independent Housing Services and Stanley Pauer vs. City and County et al., for staffing and procedural commitments, \$100,000 for contractual services for auditing and training, and \$35,000 in attorney's fees pursuant to a written settlement agreement. (City Attorney)

File 45-94-67, Ordinance No. 19-95

(Superior Court No. 955-999.)

(January 9, 1995 - Consideration continued to January 17, 1995.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hallinan - 1.

[Workers' Compensation Program]

Ordinance amending Administrative Code, transferring the administration of the Workers' Compensation Program to the Human Resources Department effective December 31, 1994. (Supervisors Kaufman, Conroy, Leal, Alioto)

File 97-94-79, Ordinance No. 18-95

(Fiscal Impact.)

(Deletes Sections 16.66 and 16.83;  
Amends Sections 16.81, 16.82 and 16.83-2.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10

Absent: Supervisor Hallinan - 1.

Passed for Second Reading as Amended

[Workers' Compensation Program]

Ordinance amending Administrative Code, relating to changing the constituency of the Workers' Compensation Task Force. (Supervisors Kaufman, Conroy, Leal, Alioto)

File 97-94-79.1, Ordinance No.

(Amends Section 16.93-1.)

(January 9, 1995 - Severed, question divided, consideration continued to January 17, 1995.)

Supervisor Hsieh, seconded by Supervisor Kaufman, moved to amend line 20, section (h), after "community" by adding "knowledgeable in the area of workers compensation"; amend line 23 by adding the following new section: "(k) Two representatives from labor to be designated by the above task force.".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hallinan - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10

Absent: Supervisor Hallinan - 1.

#### Recommendation of Housing and Land Use Committee

Finally Passed

[Zoning Map Amendment, 129, 150 Oak and 289 Fell Streets]

Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located at 129 Oak Street, Lots 18, 19 and 20, Assessor's Block 837; 150 Oak Street, Lot 3, Assessor's Block 833; and 289 Fell Street, Lot 15, Assessor's Block 833, from a P District to an NC-3 District and adopting findings pursuant to Planning Code Section 101.1. (Department of City Planning)

File 36-94-8.1, Resolution No. 11-95

(Approved by City Planning Commission Resolution No. 13791.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hallinan - 1.

#### NEW BUSINESS

#### Recommendation of Budget Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating and rescinding \$77,000, Department of Public Works, of General Funds to a Capital Improvement Project (Telegraph Hill Rockfall Remediation) for fiscal year 1994-95; providing for ratification of action previously taken. (Controller)

File 101-94-41, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Hallinan, Kaufman - 2.

[Real Property Transfer Tax]

Ordinance amending Part III, Municipal Code, imposing a real property transfer tax, to clarify that the exemption from the tax for assumed indebtedness has been eliminated for partnership transactions. (Chief Administrative Officer)

File 127-94-13, Ordinance No.

(Amends Section 1108.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hallinan - 1.

Adopted

[Emergency Repair, Water Feeder Mains and Pavement]

Resolution approving emergency expenditure by the Water Department for repair to water feeder mains in Pacific Avenue, between Larkin and Hyde Streets, and resulting damage to city street. (Supervisor Alioto)

File 28-94-16, Resolution No. 44-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hallinan - 1.

[S.F. County Fair Flower Show]

Resolution authorizing the Recreation and Park Commission to apply for retroactively, accept and expend the State funds as approved in the 1995 budget for the San Francisco County Fair Flower Show. (Supervisor Alioto)

File 86-94-2, Resolution No. 47-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hallinan - 1.

[Airport Revenue Bonds]

Resolution approving the issuance of up to \$26,000,000 aggregate principal amount of San Francisco International Airport Second Series Revenue Bonds for the purpose of refinancing the Superbay Hangar and related facilities at San Francisco International Airport and extending the period for the issuance of San Francisco International Airport Second Series Revenue Bonds to finance Master Plan Projects. (Supervisor Alioto)

File 170-94-18, Resolution No. 48-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hallinan - 1.

[Supplemental Appropriation for Charter Reform]

Motion directing the Clerk of the Board of Supervisors to submit to the Mayor a supplemental appropriation request for \$100,000 to support the Board's work in considering Charter Reform. (Supervisor Kaufman)

File 54-94-16

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hallinan - 1.

Recommendations of Budget and Health, Public Safety  
and Environment Committee

Consideration Continued

[General Assistance Property Levels]

Ordinance amending Administrative Code, to increase allowable personal property under the General Assistance Program. (Supervisors Alioto, Bierman, Hallinan, Shelley)

File 97-94-41, Ordinance No.

(Fiscal Impact.)

(Amends Section 20.56.10.)

Supervisor Alioto, seconded by Supervisor Migden, moved to continue consideration to February 13, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10

Absent: Supervisor Hallinan - 1.

Rereferred to Committee

[Family Support - Collection Intervention]

Ordinance amending Administrative Code, to authorize the District Attorney to establish a collection mechanism for family support that would allow any support payee in San Francisco to have any or all support paid through the Family Support Bureau without requiring the payee to open a case through the Title IV-D Child Support Program. (Supervisors Leal, Alioto)

File 97-94-71, Ordinance No.

(Fiscal Impact.)

(Adds Section 10.117-47.A.)

Supervisor Leal, seconded by Supervisor Hsieh, moved to rerefer to Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10

Absent: Supervisor Hallinan - 1.

Recommendation of Housing and Land Use Committee

Passed for Second Reading

[Sidewalk Width Regulations, Market Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1517 changing the official width of sidewalk on the Market Street Transit Thoroughfare Project Phase 4 as shown on the Department of Public Works maps numbered Q-20-413, Q-20-414, Q-20-419, Q-20-420, and Q-20-421 and making findings pursuant to City Planning Code Section 101.1; authorizing the implementation of this ordinance retroactively. (Department of Public Works)



File 34-94-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hallinan - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Migden assumed the Chair so the President could participate in the debate from the floor on the following item.

Recommendation of Rules Committee

Consideration Continued

[Access Appeals Commission]

Ordinance amending the Building Code, to provide that the Access Appeals Commission reviews proposed code changes, code rulings and administrative bulletins related to disabled access requirements, to require that the Commission ratify all hardship and other exceptions from disabled access requirements granted by the Bureau of Building Inspection until the adoption of formal guidelines by the Commission, to require the Bureau to submit weekly and annual reports to the Commission, and to add another member to the Code Advisory Committee; adopting findings pursuant to California Health and Safety Code Section 17958.5. (Supervisor Leal)

File 114-94-4.1, Ordinance No.

(Amends Sections 209, 215 and 216.)

Supervisor Leal, seconded by Supervisor Kaufman, moved to continue consideration to February 13, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10

Absent: Supervisor Hallinan - 1.

The President resumed the Chair.

Recommendation of Select Committee on Municipal Public Power

Adopted

[Supplemental Appropriation, Study on Public Power]

Motion directing the Clerk of the Board of Supervisors to submit to the Mayor a supplemental appropriation request for a minimum of \$150,000 to support the work of the Board of Supervisors in producing a feasibility study on municipal public power. (Supervisors Alioto, Bierman)

File 69-94-5

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Leal, Migden, Shelley, Teng - 7.

Noes: Supervisors Hsieh, Kaufman, Kennedy - 3.

Absent: Supervisor Hallinan - 1.

Conference with Labor Negotiator - Collective Bargaining

Adopted

Motion that the Board of Supervisors convene in closed session with, Wendell L. Pryor, Director of Human Resources, for the purpose of reviewing the City's position and instructing its designated representatives concerning collective bargaining negotiations involving all forms of compensation (including wages, hours, benefits and working conditions), with all recognized employee organizations, as authorized by California Government Code Section 54957.6.



Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hallinan - 1.

Recess

The Board recessed at the hour of 3:21 p.m. to convene in closed session pursuant to above motion.

Reconvening of the Board

The Board, at the hour of 4:01 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Noted Absent:

Supervisors Hallinan, Teng - 2.

Quorum present.

Supervisor Hallinan excused. (See supra.)

Supervisor Teng noted present at 4:03 p.m.

Report on Closed Session

The President reported that the Board met in closed session with Wendell L. Pryor, Director of Human Resources, for the purpose of reviewing the City's position and instructing its designated representatives concerning collective bargaining negotiations involving all forms of compensation (including wages, hours, benefits and working conditions), with all recognized employee organizations and that the Board made no motion and took no action.

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations in pending employee relations negotiations.

Supervisor Kennedy, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hallinan - 1.

COMMITTEE REPORTS

Recommendation of Budget Committee

Passed for Second Reading

[Appropriation, Social Services Department]

Ordinance appropriating \$87,273 of Federal Title IVB revenue for contractual services to allow the Department of Social Services to develop a family support and preservation program for fiscal year 1994-95. (Controller)

File 101-94-48, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10

Absent: Supervisor Hallinan - 1.

PUBLIC COMMENT

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the Public Comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Commend San Francisco Museum of Modern Art]  
Resolution commending the San Francisco Museum of Modern Art on their grand opening. (Supervisors Migden, Alioto, Bierman, Kaufman, Leal)

File 006-95-002, Resolution No. 38-95

(January 9, 1995 - Introduced in Board for consideration on January 17, 1995.)

Adopted.

In connection with the above item, Supervisors Bierman, Kaufman, Leal requested to be added as co-sponsors.

[Commend Lulann Sapp McGriff]  
Resolution commending the outgoing President of the San Francisco NAACP, Lulann Sapp McGriff, for her many years of dedicated leadership and community services. (Supervisors Shelley, Kennedy, Alioto, Bierman, Migden, Kaufman, Leal)

File 006-95-003, Resolution No. 50-95

(January 9, 1995 - Introduced in Board for consideration on January 17, 1995.)

Adopted.

In connection with the above item, Supervisors Bierman, Migden, Kaufman, Leal requested to be added as co-sponsors.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hallinan, Kaufman - 2.

IMMEDIATE ADOPTION CALENDAR

Adopted

[Leaves of Absence]  
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-3, Resolution No. 37-95

(Willie B. Kennedy, member, Board of Supervisors, January 27 - 30, March 3 - 7 and April 8 - 12; Frank O'Neill, member, Port Commission, January 12 - 18, 1995.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hallinan, Kaufman - 2.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt two motions. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

Adopted

[Purely Commendatory Finding]

Motion that the Board find by roll call vote that the following resolution being considered at this time is purely commendatory.

Supervisor Kennedy, seconded by Supervisor Alioto, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hallinan, Kaufman - 2.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Kennedy, seconded by Supervisor Alioto, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hallinan, Kaufman - 2.

[Commend San Francisco Forty-Niners]

Resolution commending the San Francisco Forty-Niners on their impressive victory on January 15, 1995 and congratulating the Forty-Niners as the 1994 National Football Conference Champions.

File 006-95-004, Resolution No. 39-95

Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hallinan, Kaufman - 2.

[Serious Injury Finding]

Motion that the Board find by roll call vote that for the three following resolutions being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Kennedy, seconded by Supervisor Hsieh, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hallinan, Kaufman - 2.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the following three resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Kennedy, seconded by Supervisor Alioto, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hallinan, Kaufman - 2.

[Federal Arts Funding]

Resolution urging the California Congressional Delegation and House Speaker Newt Gingrich to support the National Endowment for the Arts, the Corporation for Public Broadcasting, the National Endowment for the Humanities and the Institute of Museum Services.

File 013-95-001, Resolution No. 40-95

Supervisors Migden, Teng, Leal, Alioto, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hallinan, Kaufman - 2.

[Japan Earthquake Relief]

Resolution expressing sympathies to the People of Japan and urging people to give to relief funds to help the People of Japan recover from the earthquake.

File 013-95-002, Resolution No. 41-95

Supervisors Hsieh, Shelley, Kennedy, Alioto, Leal, Kaufman, Bierman, Ammiano, Teng, Migden presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hallinan, Kaufman - 2.

[Disaster Assistance, California Flood Victims]

Resolution urging the Mayor to direct the departments and agencies of the City and County to render any available aid and assistance to any counties in the State of California declared disaster areas by the State or Federal governments as a result of the recent floods and urging the residents, businesses and community-based organizations of the City and County to also render any available aid and assistance.

File 270-95-001, Resolution No. 70-95

Supervisor Ammiano presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hallinan, Kaufman - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Fire Permit Fee Waiver]

Ordinance waiving fire prevention permit fees for the "Chili Cookout" event at Slims, held on September 18, 1994, to benefit the San Francisco Fire Department Water Rescue Unit. Supervisor Hsieh presented. Referred to Budget Committee.

File 208-95-001.

[State Legislation, ACA 2, Affirmative Action]

Resolution opposing California Assembly Constitutional Amendment 2 (ACA 2) which would prohibit the State or any of its political subdivisions from using race, sex, color, ethnicity, or national origin as a criterion for granting preferential treatment to any individual or group in the operation of the State's system of public employment, public education or public contracting; urging San Francisco's State Legislative Representatives to oppose the passage of ACA 2. Supervisor Teng presented. Referred to Economic Vitality/Social Policy Committee.

File 012-95-002.

[Bay Conservation and Development Commission]

Resolution opposing the consolidation of the Bay Conservation and Development Commission into the California Coastal Commission. Supervisor Shelley presented. Referred to Health/Public Safety/Environment Committee.

File 012-95-003.

Referred to Board

[Healthy Cities Mission Immunization Project]

Resolution supporting the San Francisco Healthy Cities Mission immunization project. Supervisor Leal presented. Referred to Board for Adoption Without Committee Reference Calendar January 23, 1995.

File 030-95-002.

Referred to Committee

[Deviation of Parking Rates]

Resolution authorizing deviation of rates at Performing Arts Garage to allow Administrative Assistants and Legislative Aides to members of the Board of Supervisors to park without cost at the Performing Arts Garage. Supervisor Kaufman presented. Referred to Budget Committee.

File 047-95-002.

Referred to Board

[Grant, Federal Funds]

Resolution authorizing the Mayor to apply for a grant from the U. S. Department of Housing and Urban Development for a total amount not to exceed one million five hundred thousand dollars (\$1,500,000) for the acquisition, rehabilitation and construction of supportive housing for homeless mentally disabled persons. Supervisors Leal, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar January 23, 1995.

File 068-95-002.

[HIV Youth Advisory Committee, Extend Term]

Resolution amending Resolution 347-93, establishing the HIV Youth Advisory Committee, by extending to March 31, 1995, the date by which the final report from the advisory committee is to be submitted to the Board and by extending the termination date of the advisory committee to March 31, 1995. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar January 23, 1995.

File 174-95-001.

Requests for Hearings:

[State Budget's Impact on the City and County]

Hearing to consider the impact of the Governor's proposed budget for fiscal year 1995-96 on the budget of the City and County of San Francisco. Supervisor Hsieh presented. Referred to Budget Committee with request it be considered at the January 18, 1995 meeting.

File 012-95-001.

[Transitional Housing for Homeless Funding]

Hearing to consider status report on the expenditure of \$4 million grant from Department of Housing and Urban Development for transitional housing for homeless persons. Supervisor Leal presented. Referred to Health/Public Safety/Environment Committee.

File 083-95-001.

[Central Freeway Status Report]

Hearing to consider progress toward finding alternatives to retrofit of the Central Freeway. Supervisor Bierman presented. Referred to Housing and Land Use Committee.

File 085-95-001.

Motions

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Migden presented. Referred to Board for Adoption Without Committee Reference Calendar January 23, 1995.

File 030-95-001.01.

Referred to Committee

[Board Meeting Outside City Hall]

Motion ordering the May 1, 1995 meeting of the San Francisco Board of Supervisors to be held at Horace Mann School, 3351 23rd Street, in the Mission District of San Francisco on May 1, 1995. Supervisor Leal presented. Referred to Rules Committee.

File 054-95-003.

[Request, Supplemental Appropriation, Citywatch]

Motion directing the Clerk of the Board of Supervisors to submit to the Mayor a supplemental appropriation request for \$169,000 to purchase equipment necessary to provide gavel to gavel coverage of the Board of Supervisors meetings. Supervisors Alioto, Kennedy, Bierman, Ammiano, Shelley presented. Referred to Rules Committee.

File 069-95-001.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 046-95-001. [Settlement of Litigation, J. Solis v. S. Dyer] Ordinance authorizing settlement of John A. Solis v. Shuan Michael Dyer, et al., upon receipt of the sum of \$13,750 and dismissal of complaint. (Superior Court No. 952255) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 046-95-002. [Settlement of Litigation, CCSF v. Health Services] Ordinance authorizing settlement of litigation of City and County of San Francisco against State Department of Health Services, Case Nos. 952-820, 956-288 and 959-728 for approval of Medi-Cal reimbursement claims. (Superior Court Nos. 952-820, 956-228 and 959-728) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 101-94-049. [Appropriation, Municipal Court] Ordinance appropriating \$418,502, Municipal Court, of State authorized Special Revenue Funds for professional services to allow the Trial Courts to upgrade computer equipment for fiscal year 1994-95. RO #94152. (Controller) Referred to Budget Committee.

File 101-94-050. [Appropriation, Mayor's Office] Ordinance appropriating \$129,300, Mayor's Office, Peninsula Corridor Joint Powers Board, from the General Fund reserve for contractual services to fund installment payment for San Francisco's share of start-up costs for fiscal year 1994-95. RO #94154 (Controller) Referred to Budget Committee.

File 101-94-051. [Appropriation, Department of Public Health] Ordinance appropriating \$151,058, Department of Public Health-Mental Health, from the General Fund reserve for medical services contracts to continue Substance Abuse Programs through January 15, 1995; providing for ratification of action previously taken. RO #94146. (Controller) Referred to Budget Committee.

File 101-94-052. [Appropriation, Department of Public Health] Ordinance appropriating \$350,000, Department of Public Health-Mental Health, to allow the Department to maintain staffing for Jail Health Services for fiscal year 1994-95. RO #94145 (Controller) Referred to Budget Committee.

File 101-94-053. [Appropriation, Department of Public Health] Ordinance appropriating \$2,256,466, Department of Public Health-Mental Health, for salaries, fringe benefits, professional and other contractual services, materials and supplies and equipment to create one (1) position to fund start-up costs for the new mental health rehabilitation facility for fiscal year 1994-95. (Department of Public Health) Referred to Budget Committee.

File 102-94-008. [Public Employment, DPH, Add One Position] Ordinance amending Ordinance No. 293-94 (Annual Salary Ordinance, 1994-95) reflecting the addition of one position, (Classification 1819 M.I.S. Specialist III) in the Department of Public Health, CMHS; companion measure to File 101-94-53. (Department of Human Resources) Referred to Budget Committee.



Resolutions Referred to Committee

File 028-95-001. [Emergency Repair, Alladin Terrace Sewer] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewers in Alladin Terrace between Taylor Street and the deadend - \$39,610. (Department of Public Works) Referred to Budget Committee.

File 028-95-002. [Emergency Repair, Broderick Street Sewer] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewers in Broderick Street between Washington and Jackson Street - \$116,815. (Department of Public Works) Referred to Budget Committee.

File 028-95-003. [Emergency Repair, Natoma Street Sewer] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewers in Natoma Street between Seventh and Eighth Streets - \$118,305. (Department of Public Works) Referred to Budget Committee.

File 040-95-001. [Residential Parking Area "I", Bartlett Street] Resolution amending the boundaries of Residential Permit Parking Area "I" in the Bartlett Street Area. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 047-95-001. [St. Mary's Square Garage Contract Amendment] Resolution approving a first amendment to the St. Mary's Square Garage Management Contract. (Department of Parking and Traffic) Referred to Government Efficiency/Labor Committee.

File 048-95-001. [Settlement of Claims, Geico Insurance Company] Resolution approving the settlement of the unlitigated claim of Geico Insurance Co. by payment of \$11,038.83. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 068-95-001. [Federal Grant, Regional Homeless Continuum Care] Resolution authorizing the Mayor of the City and County of San Francisco to apply for and receive a regional homeless continuum of care grant in a total amount not to exceed Seven Million Dollars (\$7,000,000) from the U.S. Department of Housing and Urban Development for a regional homeless plan authorized under Section 2(C) of the HUD Demonstration Act of 1993. (Mayor) Referred to Government Efficiency/Labor Committee.

File 078-95-001. [Health Service System Contributions] Resolution establishing the contribution to be made to the Health Service System by City and County, Unified School District and Community College District for fiscal year 1995-96. (Health Service System) Referred to Government Efficiency/Labor Committee.

File 146-95-001. [Grant, Hospice Ward Furnishings, Laguna Honda] Resolution authorizing the Department of Public Health, Laguna Honda Hospital and Rehabilitation Center, to apply for and accept a grant of a maximum of \$6,000 from Levi Strauss Foundation to provide indoor furnishings for the newly expanded hospice on Ward C-2; ratifying application previously made; and waiving indirect costs. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 170-95-002. [Sewer Revenue Bonds] Resolution declaring the intent of the City and County of San Francisco to reimburse certain expenditures from proceeds of future indebtedness; authorizing the Chief Administrative Officer to develop a plan of finance; and approving and ratifying previous actions. (Chief Administrative Officer) Referred to Budget Committee.

File 172-95-001. [Contract, DPH-Richmond Area Multi-Services, Inc.] Resolution approving the contract between the City and County of San Francisco Department of Public Health and Richmond Area Multi-Services, Inc. (RAMS), to provide partial hospitalization program services. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 172-95-002. [State Mental Health Performance Contract] Resolution approving the San Francisco City and County Performance Contract for Mental Health Services in fiscal year 1994-95. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 270-93-006.01. [Earthquake Emergency Relief Fund Expenditure] Resolution approving additional expenditure of \$4,860 above the \$35,000 placed in reserve in Resolution 77-94 and released for expenditure in Resolution 1023-94 from the Mayor's Earthquake Emergency Relief Fund for the services of a technical writer consultant to modernize and revise the City and County of San Francisco Emergency Operations Plan. (Mayor's Office of Emergency Services) Referred to Budget Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Migden, that letter be sent to the San Francisco Transportation Authority requesting review of application for the use of Proposition B to fund materials and supplies necessary to maintain

the newly purchased trolley buses and to modify the light rail vehicles so that service can continue until replacement vehicles are available.

By Supervisor Migden, that letter of inquiry be sent to Director, Department of Public Transit concerning the budget of the Municipal Railway and the use of Proposition B funds to determine whether their supplemental budget request will reflect any reduction in their deficit from the use of Proposition B funds.

By Supervisors Bierman, Migden, that letter be sent to his Honor, the Mayor, and the Sheriff to inquire about the precipitous withdrawal of security in City Hall and to determine if security will be restored until the final move out.

By Supervisors Alioto, Bierman, Hallinan, that City Attorney prepare ordinance amending the Administrative Code to require the Public Utilities Commission to prepare a preliminary feasibility study on the municipalization of public power every five years, beginning in 1995.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Mercedee Evans (Supervisor Kennedy)  
Michael S. Valerio (Supervisor Migden)  
Joseph Mignola (Supervisors Bierman, Leal)  
Paul David Wilensky (Supervisor Leal)

File 2-95-3

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:08 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 1, 1995.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



Monday, January 23, 1995

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, January 23, 1995 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Hsieh, Leal, Migden, Shelley, Teng - 6.

Noted absent at first roll call:

Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy - 5.

Quorum present.

Supervisor Alioto was noted present at 2:07 p.m.

Supervisor Bierman was noted present at 2:04 p.m.

Supervisor Hallinan was noted present at 2:04 p.m.

Supervisor Kaufman was noted present at 2:07 p.m.

Supervisor Kennedy was noted present at 2:18 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Hsieh, seconded by Supervisor Leal, moved that the Journal of Proceedings for Monday, January 3, 1995, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Alioto assumed the Chair so the President could participate from the floor.

Presentation of Guests

Supervisor Teng introduced and welcomed the members of the City College Rams football team, winners of the National Champion Junior College Football League.

The following distinguished guests were also recognized: Community College Governing Board President Robert Burton; Vice President Rondel Rodis; Members, Robert Varni, Maria Monet, Lawrence Wong; Dean of Student Affairs, Frank Chong and Dean of Health and Physical Education, Natalie Berg.

Suspension of the Rules:  
Presentations Made

Supervisor Teng, seconded by Supervisor Leal, moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Coach George Rush and Noah Griffin, representing Mayor Frank Jordan.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Coach Rush thanked the members of the football team, the coaches, family members and friends for their efforts and support of the team.

On behalf of the Mayor and the City and County of San Francisco, Mr. Griffin presented a proclamation declaring January 23, 1995 as City College Rams Day.

President Shelley and Supervisor Teng presented, on behalf of the Board of Supervisors, a Certificate of Honor to commemorate winning the National Championship Junior College Football League.

The President resumed the Chair.

#### CONSENT CALENDAR

##### Recommendations of Budget Committee

Finally Passed

[Government Funding]

Ordinance appropriating and rescinding \$77,000, Department of Public Works, of general funds to a capital improvement project (Telegraph Hill Rockfall Remediation) for fiscal year 1994-95; providing for ratification of action previously taken. (Controller)

File 101-94-41, Ordinance No. 26-95

(Fiscal Impact.)

Finally passed.

[Real Property Transfer Tax]

Ordinance amending Part III, Municipal Code, imposing a real property transfer tax, to clarify that the exemption from the tax for assumed indebtedness has been eliminated for partnership transactions. (Chief Administrative Officer)

File 127-94-13, Ordinance No. 28-95

(Amends Section 1108.)

Finally passed.

Passed for Second Reading

[Supplemental Appropriation, Mayor's Office]

Ordinance appropriating \$129,300, Mayor's Office, Peninsula Corridor Joint Powers Board, from the General Fund Reserve for contractual services to fund installment payment for San Francisco's share of start-up costs for fiscal year 1994-95. (Supervisors Hsieh, Bierman, Kaufman)

File 101-94-50, Ordinance No.

Passed for second reading.

##### Recommendation of Housing and Land Use Committee

Finally Passed

[Sidewalk Width Regulations, Market Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1517 changing the official width of sidewalk on the Market Street Transit Thoroughfare Project Phase 4 as shown on the Department of Public Works maps numbered Q-20-413, Q-20-414, Q-20-419, Q-20-420 and Q-20-421 and making findings pursuant to City Planning Code Section 101.1; authorizing the implementation of this ordinance retroactively. (Department of Public Works)

File 34-94-2, Ordinance No. 24-95

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Kaufman, Teng - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Budget Committee

Finally Passed

[Appropriation, Social Services Department]  
Ordinance appropriating \$87,273 of Federal Title IVB revenue for contractual services to allow the Department of Social Services to develop a family support and preservation program for fiscal year 1994-95. (Controller)

File 101-94-48, Ordinance No. 27-95

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

Recommendation of Government Efficiency and Labor Committee

Finally Passed

[Workers' Compensation Program]  
Ordinance amending Administrative Code, relating to changing the constituency of the Workers Compensation Task Force. (Supervisors Kaufman, Conroy, Leal, Alioto)

File 97-94-79.1, Ordinance No. 25-95

(Amends Section 16.93-1.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Dept. of Public Works]  
Ordinance appropriating and certifying \$10,489, Department of Public Works, for Capital Improvement Project (Palace of Fine Arts Flooding Control Project) to cover ten percent overage as per Charter Section 7.203, providing for ratification of action previously taken, for fiscal year 1994-95. (Controller)

File 101-94-46, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

[Appropriation, Dept. of Public Works, \$9,578]

Ordinance appropriating and certifying \$9,578, Department of Public Works, for Capital Improvement Project (Zoological Gardens flooding) to cover ten percent overage as per Charter Section 7.203, providing for ratification of action previously taken, for fiscal year 1994-95. (Controller)

File 101-94-47, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

#### Consideration Continued

[Adult Probation Service Reimbursement Fee]

Ordinance amending Administrative Code, authorizing the Adult Probation Department to collect an administration fee in the amount of \$120.00 for the cost of services rendered in processing petitions. (Adult Probation Department)

File 97-94-78, Ordinance No.

(Adds Section 8.31-2.)

Supervisor Hallinan, seconded by Supervisor Hsieh, moved to continue consideration to February 1, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

#### Adopted

[Airport Surety Bond/Loan Program]

Resolution authorizing the San Francisco International Airport ("Airport") to obtain letter of credit lines totaling up to an aggregate of \$2,500,000, which letters of credit will be used to induce surety bond companies and financial institutions to provide surety bonds and working capital financing to certain Minority/Women/Small Business Enterprises. (Supervisors Hsieh, Bierman, Kaufman, Alioto, Migden, Kennedy, Shelley, Teng, Leal, Ammiano)

File 170-95-1, Resolution No. 68-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisors Alioto, Migden, Kennedy, Shelley, Teng, Leal, Ammiano requested to be added as co-sponsors.

#### Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair so the President could participate in the debate from the floor.

[Mortgage Credit Certificates]

Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the

issuance of mortgage credit certificates. (Supervisors Shelley, Alioto, Hsieh, Bierman, Kaufman, Teng, Leal)

File 212-95-1, Resolution No. 53-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisors Leal, Teng, requested to be added as co-sponsors.

The President resumed the Chair.

Recommendations of Rules Committee

Adopted

[Appointments, S.F. Relocation Appeals Board]

Resolution confirming Mayor's appointments of members to the San Francisco Relocation Appeals Board, terms expired. (Mayor)

File 33-94-7, Resolution No. 54-95

(Richard Hauptman, vice himself, term ending January 2, 1998;  
Harry Kim, vice Patricia Aguayo, term ending January 2, 1997;  
Albert Y. Seto, vice Jamal Mogannam, term ending January 2, 1997  
Essie Webb, vice herself, term ending January 2, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Appointment]

Resolution appointing member to the Lead Hazard Reduction Citizens Advisory Committee, for unexpired portion of four year term ending June 25, 1997. (Rules Committee)

File 92-94-42.2, Resolution No. 55-95

(Angela Hodgson, vice Lyn Farrugia, Seat No. 26722 - Parent, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Appointment, Association Bay Area Governments Executive Board] Resolution appointing alternate member to the Association of Bay Area Governments Executive Board, for unexpired portion of the two year term ending June 30, 1995. (Rules Committee)

File 92-94-55, Resolution No. 56-95

(Supervisor Kaufman, vice Supervisor Shelley, Seat No. 10305/Alternate, resigned.)

Supervisor Kaufman Excused from Voting

On advise of the City Attorney, Supervisor Kaufman requested to be excused from voting because of possible conflict of interest.

Thereupon, Supervisor Kennedy, seconded by Supervisor Hsieh, moved to excuse Supervisor Kaufman from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Excused: Supervisor Kaufman - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair so the President could participate in the debate from the floor.

Adopted

[Appointments, Elections Task Force]

Resolution appointing three members to the Elections Task Force established by Proposition L, November 1994 Election, terms ending May 1, 1995. (Rules Committee)

File 92-94-63, Resolution No. 57-95

(Eric Mar, Seat No. 29201;  
Gwenn Craig, Seat No. 29202;  
Dale M. Butler, Seat No. 29203.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Appointment, Developmental Disabilities Area Board V]

Resolution appointing member to the Developmental Disabilities Area Board V, for three year term ending December 31, 1998. (Rules Committee)

File 92-94-67, Resolution No. 58-95

(Julie T. Hsu, vice Walter Slater, Seat No. 21902, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Lead Poisoning Prevention Citizens Advisory Board]

Resolution appointing member to the Lead Poisoning Prevention Citizens Advisory Board, for unexpired portion of two year term ending on August 20, 1995. (Rules Committee)

File 92-94-72, Resolution No. 59-95

(Lynn Ishida Barbaree, vice Diana Jung, Seat No. 26601-childcare, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

The President resumed the Chair.

[Appointment ABAG Executive Committee]

Resolution appointing member of the Board of Supervisors to a one year term on the Association of Bay Area Governments Executive Committee for the unexpired portion of term ending June 30, 1995. (Rules Committee)

File 92-94-73, Resolution No. 60-95

(Supervisor Sue Bierman, vice Supervisor Kevin F. Shelley, Seat No. 103024, resigned.)

Supervisor Bierman Excused from Voting



On advise of the City Attorney, Supervisor Bierman requested to be excused from voting because of possible conflict of interest.

Thereupon, Supervisor Kennedy, seconded by Supervisor Kaufman moved to excuse Supervisor Bierman from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Excused: Supervisor Bierman - 1.

[Appointment, Metropolitan Transportation Commission]  
Resolution appointing member to the Metropolitan Transportation Commission, for a new four year term ending February 10, 1999. (Rules Committee)

File 92-95-1, Resolution No. 67-95

(Supervisor Tom Hsieh, Seat No. 12001, term expiring February 10, 1995.)

Supervisor Hsieh Excused from Voting

On advise of the City Attorney, Supervisor Hsieh requested to be excused from voting because of possible conflict of interest.

Thereupon, Supervisor Kennedy, seconded by Supervisor Kaufman moved to excuse Supervisor Hsieh from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Excused: Supervisor Hsieh - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair so the President could participate in the debate from the floor on the following item.

Adopted as Amended

[Proposition O Board Meeting]  
Motion ordering the March 6, 1995 meeting of the Board of Supervisors to be held at the Southeast Community Facility Commission, 1800 Oakdale Avenue, Community Meeting Room in the Bayview Hunters Point District of San Francisco, at ((2:00)) 5:00 p.m. (Supervisor Shelley, Alioto, Teng)

File 54-94-14

Supervisor Shelley, seconded by Supervisor Alioto moved to amend the time from "2:00 p.m." to "4:00 p.m."

After a brief discussion, Supervisor Shelley, seconded by Supervisor Alioto, moved substitute motion to amend title, line 7 and page two, line 5, by replacing "2:00" with "5:00".

Substitute motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Main motion adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisors Alioto, Teng requested to be added as co-sponsors.

The President resumed the Chair.

[Retention Schedule of Board of Supervisors]

Motion approving Board of Supervisors retention schedule and authorizing the Clerk of the Board to adjust the schedule to increase retention periods and requiring Board approval of additions and/or reductions in retention periods. (Supervisor Alioto)

File 54-95-1

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

#### PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Edith McMillan, public testimony at City Planning hearing;  
Laboriae Moore, police, towing companies, low income people;  
Randy Miller, appointment to Elections Task Force;  
Jesus Gumban; civil service, discrimination;  
Camille, Project 10, foster care;  
Winchell T. Hayward, renaming of Army Street;  
Randy Hall, drug activities, Powell and Market, Tenderloin.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

#### FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

#### Severed from For Adoption Without Committee Reference Calendar

Supervisor Leal requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Grant, Federal Funds]

Resolution authorizing the Mayor to apply for a grant from the U. S. Department of Housing and Urban Development for a total amount not to exceed one million five hundred thousand dollars (\$1,500,000) for the acquisition, rehabilitation and construction of supportive housing for homeless mentally disabled persons; indirect costs associated with the acceptance of this grant will be paid by Community Development Block Grant funds. (Supervisors Leal, Kaufman)

File 068-95-002, Resolution No. 66-95

(January 17, 1995 - Introduced in Board for consideration on January 23, 1995.)

Supervisor Leal, seconded by Supervisor Kaufman, moved an amendment of the whole entitled, "Resolution authorizing the Mayor to apply for a grant from the U. S. Department of Housing and Urban Development for a total amount not to exceed one million five hundred thousand dollars (\$1,500,000) for the acquisition, rehabilitation and construction of supportive housing for homeless mentally disabled persons; indirect costs associated with the acceptance of this grant will be paid by Community Development Block Grant funds."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Alioto, Hallinan - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Alioto, Hallinan - 2.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Healthy Cities Mission Immunization Project]

Resolution supporting the San Francisco Healthy Cities Mission immunization project. (Supervisors Leal, Alioto)

File 030-95-002, Resolution No. 65-95

(January 17, 1995 - Introduced in Board for consideration on January 23, 1995.)

Adopted.

[HIV Youth Advisory Committee, Extend Term]

Resolution amending Resolution 347-93, establishing the HIV Youth Advisory Committee, by extending to March 31, 1995, the date by which the final report from the advisory committee is to be submitted to the Board and by extending the termination date of the advisory committee to March 31, 1995. (Supervisor Alioto)

File 174-95-001, Resolution No. 69-95

(January 17, 1995 - Introduced in Board for consideration on January 23, 1995.)

Adopted.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Migden)

File 030-95-001.01

(January 17, 1995 - Introduced in Board for consideration on January 23, 1995.)

Adopted.

[Final Map, 757 Natoma Street]

Motion approving final map of 747 Natoma Street, a condominium project, being a resubdivision of Lot 90 in Assessor's Block 3728, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-95-1

(January 17, 1995 - Introduced in Board for consideration on January 23, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Alioto, Hallinan - 2.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-4, Resolution No. 49-95

Adopted.

(Tom Ammiano, member, Board of Supervisors, January 28 - 30 and February 9 - 11; Terence Hallinan, member, Board of Supervisors, January 28 - 30; Barbara Kaufman, member, Board of Supervisors, January 27 - February 4; Susan Leal, member, Board of Supervisors, January 27 - 31; Mabel Teng, member, Board of Supervisors, January 26 - 30; Lucille Abrahamson, member, Human Rights Commission, January 19 - 26 and February 10 - 19; Mary Gomez Daddio, member, Human Rights Commission, January 17 - 22, 1995.)

[Observing Lunar New Year]

Motion rescheduling the meeting set for January 30th, 1995, in observance of the Lunar New Year, to February 1, 1995. (Supervisors Teng, Hsieh)

File 54-95-4

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Alioto, Hallinan - 2.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda.

Adopted

[Purely Commendatory Finding]

Motion that the Board find by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Kennedy, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Alioto, Hallinan - 2.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Kennedy, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Alioto, Hallinan - 2.

Adopted

[Commend Chiune and Yukiko Sugihara]

Resolution honoring Chiune and Yukiko Sugihara for their acts of courage and humanitarianism during World War II.

File 006-95-005, Resolution No. 51-95

Supervisors Teng, Kaufman, Ammiano, Hsieh, Alioto, Kennedy presented for immediate adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Alioto, Hallinan - 2.

[Commend Sam Jordan]

Resolution commending Sam Jordan for his many generous civic contributions; commemorating the 36th anniversary of "Sam Jordan's Bar" as a thriving San Francisco business and community treasure.

File 006-95-006, Resolution No. 52-95

Supervisors Kaufman, Kennedy, Hallinan, Ammiano, Teng, Shelley, Hsieh, Bierman, Alioto presented for immediate adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Alioto, Hallinan - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Appropriation, Mayor, \$50,000, Earthquake Relief]

Ordinance appropriating \$50,000, Mayor, from General Fund Reserve for other non personal services (to provide earthquake relief to Japan). Supervisors Hsieh, Shelley, Bierman, Leal, Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Migden, Teng presented. Referred to Budget Committee.

File 101-94-057.

[Permit, United Nations Plaza Farmers' Market]

Ordinance approving a temporary revocable permit for a farmers market at United Nations Plaza for the period of March 1, 1995 through May 1, 1995 (to relocate their location on a temporary basis during construction work at United Nations Plaza). Supervisor Shelley presented. Referred to Housing/Land Use Committee.

File 010-95-001.

[Disposal of Material of Historical Significance]

Ordinance amending Administrative Code Section 8.7 to revise procedure for disposition of material of historical significance prior to destruction. Supervisor Bierman presented. Referred to Government Efficiency/Labor Committee.

File 097-95-002.

Referred to Board

[Parking Rate, Moscone Garage]

Resolution requesting and authorizing a special rate for the Moscone Center garage for five special events held at the San Francisco Museum of Modern Art and for the City to attempt to secure a long-term parking contract with the Museum and/or its parking vendor. Supervisor Migden presented. Referred to Board for Adoption Without Committee Reference Calendar February 1, 1995.

File 047-95-005.

[Recycling Program]

Resolution recognizing San Francisco Recycling Program for their efforts in improving the quality of life and the environment of our City and encouraging the Recycling Program to continue to implement more targeted programs throughout the City that increases the amount of waste recycled. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar February 1, 1995.

File 057-95-001.

[Labor Issue, UCSF Contracting Out Warehouse]

Resolution urging the University of California Regents, UCSF Chancellor, Vice Chancellors and medical administration to renew the public commitment to cost-effective services that include diverse representation of communities and to continue to provide for adequate experienced staffing levels with sustained training and safety measures and if possible to retain these services in-house. Supervisor Hallinan presented. Referred to Board for Adoption Without Committee Reference Calendar February 1, 1995.

File 176-95-001.

Referred to Committee

[Adopt-A-Monument Fiscal Agent]

Resolution authorizing the San Francisco Art Commission to establish a fiscal agent for the purpose of accepting contributions to an Adopt-A-Monument Fund for the conservation and maintenance of City monuments and sculptures, pursuant to the Art Commission's Adopt-A-Monument program. Supervisor Shelley presented. Referred to Budget Committee.

File 197-95-001.

Requests for Hearings:

[No Fare Muni Zone]

Hearing to consider issues regarding the feasibility of a No Fare Zone in San Francisco's downtown district to encourage Muni ridership and reduce automobile traffic. Supervisor Ammiano presented. Referred to Budget Committee.

File 007-95-001.

[Gap Building Financing]

Hearing to consider the Redevelopment Agency's plan for financing the new headquarters site for the Gap. Supervisors Hallinan, Alioto presented. Referred to Government Efficiency/Labor Committee.

File 161-95-001.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-95-001. [Settlement of Litigation, Marilyn Moore] Ordinance authorizing settlement of litigation of Marilyn Moore against the City and County of San Francisco by payment of \$10,000. (Superior Court No. 952-666) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-95-002. [Settlement of Litigation, U.S.A. (Davis)] Ordinance authorizing partial settlement of litigation of U.S.A. (Davis) v. City and County of San Francisco, United States District Court, Northern District of California, Consolidated Cases Nos. C84-1100 MHP, C84-7089 MHP by payment of \$865,105.80. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-95-003. [Settlement of Litigation, L. Murdock, SFPD] Ordinance authorizing settlement of litigation of Robert C. Coffey against Larry Murdock, et al, by payment of \$10,000. (Santa Clara County Municipal Court Case 247-340) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 101-94-054. [Appropriation, War Memorial] Ordinance appropriating \$73,520, War Memorial, from the General Fund reserve for other non-personal services to allow the Real Estate Department to provide security services for fiscal year 1994-95. RO #94161 (Controller) Referred to Budget Committee.

File 101-94-055. [Appropriation, Various Departments] Ordinance appropriating \$103,819, various departments, from the General Fund reserve to materials and supplies, equipment and capital improvement projects and appropriating \$65,184 from the Retirement Trust Fund to Equipment at the Retirement System for fiscal year 1994-95; implementing Mayor's Budget Incentive Program. RO #94158 (Controller) Referred to Budget Committee.



File 101-94-056. [Appropriation, Department of Public Health] Ordinance appropriating \$1,722,243, Department of Public Health, of medical and Medi-Care revenues to salaries, fringe benefits, medical service contracts, professional services, training, and other non-personal services and materials and supplies to allow the Department of Public Health to augment mental health services and alleviate overcrowding in the Psychiatric Emergency Service Program at San Francisco General Hospital for fiscal year 1994-95. RD #94148 (Controller) Referred to Budget Committee.

#### Resolutions Referred to Committee

File 025-95-001. [Prop J Contract, Security Services] Resolution concurring with the Controller's certification that security services for 401 Van Ness Avenue and 875 Stevenson Street can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 040-95-002. [Residential Parking Area "S", Duboce Triangle] Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 040-95-003. [Residential Parking Area, "I", Bartlett Street] Resolution extending the boundaries of Residential Permit Parking Area "I" in the Bartlett Street Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 047-95-003. [Vallejo Street Garage Contract Amendment] Resolution approving a first amendment to the Vallejo Street Garage Management Contract. (Department of Parking and Traffic) Referred to Government Efficiency/Labor Committee.

File 047-95-004. [Polk-Bush Garage Contract Amendment] Resolution approving a first amendment to the Polk-Bush Garage Management Contract. (Department of Parking and Traffic) Referred to Government Efficiency/Labor Committee.

File 048-95-002. [Settlement of Claim, James R. Roy] Resolution approving settlement of the unlitigated claim of James R. Roy by payment of \$12,500. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 061-95-001. [Contract Award Extension, Water Dept. WD-2173] Resolution granting extension of time for award for San Francisco Water Department Contract WD-2173, Harry W. Tracy Water Treatment Plant - Slope Stabilization. (Public Utilities Commission) Referred to Government Efficiency/Labor Committee.

File 133-95-001. [Federal/State Grants, Emergency Command Center] Resolution authorizing the Chief Administrative Officer to apply for and accept grants from various Federal and State agencies for the Combined Emergency Command Center. (Chief Administrative Officer) Referred to Government Efficiency/Labor Committee.

File 151-95-001. [Rincon-South Beach Redevelopment Project Plan] Resolution amending Resolution No. 141-77, and 607-91 designating and describing the Northeastern Waterfront Survey Area by adding real property to said area. (Redevelopment Agency) Referred to Housing and Land Use Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Migden, that letter of inquiry be sent to Director, Department of Parking and Traffic to determine whether the Department plans to introduce legislation at the February meeting of the Parking and Traffic Commission concerning adopting a special rate of \$3.00 at the Moscone Center garage for special events at the San Francisco Museum of Modern Art (SFMOMA); whether such arrangement would be economically beneficial to the City; if there are plans to negotiate a long-term parking contract with SFMOMA and what would be the anticipated increase in gross parking receipts.

By Supervisors Shelley, Alioto, that City Attorney prepare an analysis of existing zoning code laws and to prepare legislation which would strengthen the zoning code to protect and preserve the character of San Francisco's neighborhood commercial zones by mitigating the negative impacts of large, high traffic producing chain stores.

By Supervisor Alioto, that letter of inquiry be sent to Director of Purchasing to determine whether it is standard practice to make site visits to "non-responsive" bidders and to receive specific information in reference to contract proposal 68530 regarding legal photocopy services and the costs of such visits.

By Supervisor Ammiano, that letter of inquiry be sent to Director, Office of Emergency Services, to obtain status report of any requests by the Agency to the State Department of Emergency Services of a

Notice of Interest by the City and County for federal public assistance funds to meet the needs created by the recent rain storms and information concerning what types of damages are eligible for public assistance funding sustained during the storm by the Recreation and Park Department, Department of Public Works, Department of Electricity, the Port and other city agencies and departments.

By Supervisor Bierman, that City Attorney prepare ordinance amending the Residential Rent Stabilization and Arbitration Ordinance, Administrative Code Section 36.7, to ensure that units covered under Proposition I, November 1994, shall not be treated differently from other units covered under this ordinance.

By Supervisor Hallinan, that letter of inquiry in further reference to Government Efficiency and Labor Committee's October 25, 1994 query regarding the Fleet Week decision making process be sent to Mr. Jack Immendorf to obtain the following specific information: who are the members of the Fleet Week Committee; how are they selected; who appoints them; how the City and County may properly direct its concerns regarding Fleet Week activities and request in ample time for this year's events.

By Supervisor Hallinan, that Clerk of the Board send letter to departments and agencies which have not responded to the October 31, 1994 letter which asked for details on the annual costs expended to enforce anti-prostitution laws and the prosecution and defense of prostitution-related crimes, including but not limited to, the costs of staff time assigned to these cases and requesting their responses by February 10, 1995.

By Supervisor Kennedy, that letter of inquiry be sent to the Honorable Retirement Board to obtain a report concerning the stability of the Hartford Insurance Group which handles the City's Deferred Compensation Plan which is in question because of an article in the Wall Street Journal relative to Standard and Poor's ratings placed on ITT's insurance unit.

#### Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Rose Fitzgerald Kennedy (By the entire Board)  
Walt Stack (Supervisors Hallinan, Bierman)  
John A. Garcia (Supervisor Leal)

File 2-95-4.

Unanimously adopted by a rising vote.

#### ADJOURNMENT

There being no further business, the Board at the hour of 4:10 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 13, 1995.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



Wednesday, February 1, 1995

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

-----  
Wednesday, February 1, 1995 - 2:00 p.m.  
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The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:03 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Hallinan, Kennedy, Leal, Migden, Shelley, Teng - 8.

Noted absent at first roll call:

Supervisors Bierman, Hsieh, Kaufman - 3.

Quorum present.

Supervisor Bierman was noted present at 2:23 p.m.

Supervisor Hsieh was noted present at 2:12 p.m.

Supervisor Kaufman excused, on official leave of absence.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Leal, moved that the Journal of Proceedings for Monday, January 9, 1995, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Bierman, Hsieh, Kaufman - 3.

Presentation of Guest

Supervisor Kennedy introduced and welcomed Mr. Nyanisile Moses Boyce from the township of Zwide, City of Port Elizabeth, Eastern Cape of South Africa, who will be working in various city departments through March of this year.

Suspension of the Rules

Supervisor Kennedy, seconded by Supervisor Leal, moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Mr. Nyanisile Moses Boyce

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Bierman, Hsieh, Kaufman - 3.

Mr. Boyce thanked the Supervisors for the opportunity to address the Board and indicated he expects to learn a lot from his internship with the various city departments.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Department of Public Works]

Ordinance appropriating and certifying \$10,489, Department of Public Works, for Capital Improvement Project (Palace of Fine Arts Flooding Control Project) to cover ten percent overage as per Charter Section 7.203, providing for ratification of action previously taken, for fiscal year 1994-95. (Controller)

File 101-94-46, Ordinance No. 29-95

(Fiscal Impact.)

Finally passed.

[Appropriation, Dept. of Public Works]

Ordinance appropriating and certifying \$9,578, Department of Public Works, for Capital Improvement Project (Zoological Gardens flooding) to cover ten percent overage as per Charter Section 7.203, providing for ratification of action previously taken, for fiscal year 1994-95. (Controller)

File 101-94-47, Ordinance No. 30-95

(Fiscal Impact.)

Finally passed.

[Supplemental Appropriation, Mayor's Office]

Ordinance appropriating \$129,300, Mayor's Office, Peninsula Corridor Joint Powers Board, from the General Fund Reserve for contractual services to fund installment payment for San Francisco's share of start-up costs for fiscal year 1994-95. (Supervisors Hsieh, Bierman, Kaufman)

File 101-94-50, Ordinance No. 31-95

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Settlement of Litigation, AllState/Howe/Leong]

Ordinance authorizing settlement of litigation of Allstate Insurance Company, Jeffrey Howe and Allison Leong against the City and County by payment of \$9,000. (City Attorney)

File 45-94-70, Ordinance No.

(Superior Court No. 907-587)

Passed for second reading.

[Settlement of Litigation, Christine Calabrese]

Ordinance authorizing settlement of litigation of Christine Calabrese against the City and County by payment of \$25,000. (City Attorney)

File 45-94-71, Ordinance No.

(Superior Court No. 954-177)

Passed for second reading.

[Settlement of Litigation, Joseph E. Smith]

Ordinance authorizing settlement of litigation of Joseph E. Smith against the City and County by payment of \$41,850 and waiver of medical lien in the amount of \$4,902.11. (City Attorney)

File 45-94-72, Ordinance No.

(Superior Court No. 948-750)

Passed for second reading.

[Settlement of Litigation, J. Solis v. S. Dyer]

Ordinance authorizing settlement of John A. Solis v. Shuan Michael Dyer, et al., upon receipt of the sum of \$13,750 and dismissal of complaint. (City Attorney)

File 46-95-1, Ordinance No.

(Superior Court No. 952255)

Passed for second reading.

[License Agreement, Museum Cafe]

Ordinance authorizing a License Agreement with Diane Tom as licensee for operation of a Cafe at the War Memorial Veterans Building. (Real Estate Department)

File 62-94-1, Ordinance No.

Passed for second reading.

[Port, Lease Modification, Seawall Lot 334]

Ordinance approving Lease Modification Agreement between the Port Commission as assigned to the Redevelopment Agency and the Ship Clerks Memorial Hall Association, ILWU, Local 34, for Seawall Lot 334 (Embarcadero and Berry Street). (Port)

File 65-94-19, Ordinance No.

Passed for second reading.

Adopted

[Settlement of Claim, Johanna Ward]

Resolution approving the settlement of the unlitigated claim of Johanna Ward by payment of \$25,877.59. (City Attorney)

File 48-94-26, Resolution No. 74-95

Adopted.

[Settlement of Claim, Roger C. Stahl]

Resolution approving the settlement of the unlitigated claim of Roger C. Stahl, by payment of \$13,500. (City Attorney)

File 48-94-27, Resolution No. 75-95

Adopted.

[Settlement of Claim, Michelle Y. Tong]

Resolution approving the settlement of the unlitigated claim of Michelle Y. Tong by payment of \$12,276. (City Attorney)

File 48-94-28, Resolution No. 76-95

Adopted.

[Contract Award Extension, Water Dept. WD-2178]

Resolution granting extension of time for award for Water Department Contract No. WD-2178, Cleaning of Sunset Reservoir (North Basin). (Public Utilities Commission)

File 61-94-8, Resolution No. 77-95

Adopted.

[Lease of Property, 10 United Nations Plaza]

Resolution authorizing a one year extension and renewal of the existing office lease of 9,417 square feet at 10 U.N. Plaza, Suites 450 and 600, and incorporating a related expansion of 1,325 square feet

Wednesday, February 1, 1995

to accommodate a new grant funded program for the Mayor's Office of Housing and the Mayor's Office of Community Development, retroactive to October 1, 1994. (Real Estate Department)

File 64-94-23, Resolution No. 79-95

Adopted.

[Pediatric Education Program, Paramedics Project]

Resolution authorizing the Department of Public Health, Central Administration, Emergency Medical Services (EMS) Agency, to apply for, accept and expend a grant of \$49,872, which includes indirect costs in the amount of \$4,972, based on 22.2 percent of salaries from the State Emergency Medical Services Authority to provide for further development of the Pediatric Education for Paramedics Project and related Emergency Medical Services for Children project. (Department of Public Health)

File 146-94-34, Resolution No. 83-95

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Bierman, Hsieh, Kaufman - 3.

#### REGULAR CALENDAR

#### UNFINISHED BUSINESS

#### Recommendation of Budget Committee

Consideration Continued With Pending Amendment

[Adult Probation Service Reimbursement Fee]

Ordinance amending Administrative Code, authorizing the Adult Probation Department to collect an administration fee in the amount of \$120.00 for the cost of services rendered in processing petitions. (Adult Probation Department)

File 97-94-78, Ordinance No.

(Adds Section 8.31-2.)

(January 23, 1995 - Consideration continued to February 1, 1995.)

Supervisor Teng, seconded by Supervisor Kennedy, moved to amend title, line 5, after "petitions" by adding "pursuant to and consistent with California Penal Code Sections 1203.4, 1203.45 and 987.8"; amend page one, line 18, by changing "and 1203.45" to read "1203.45 and 987.8"; amend page two, line 3, by adding the following sentence: "Provisions for the waiver of the collection of these fees are contained in California Penal Code Section 987.8, which defines a petitioner's ability to pay."

Supervisor Ammiano, seconded by Supervisor Kennedy, moved to continue consideration with pending amendment to February 6, 1995.

Motion to continue with pending amendment adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

#### NEW BUSINESS

#### Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Department of Public Health]

Ordinance appropriating \$151,058, Department of Public Health-Mental Health, from the General Fund reserve for medical services contracts to continue Substance Abuse Programs through January 15, 1995; providing for ratification of action previously taken. (Supervisor Leal)

File 101-94-51, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

[Appropriation, Department of Public Health]

Ordinance appropriating \$2,252,066, Department of Public Health-Mental Health, for salaries, fringe benefits, professional and other contractual services, materials and supplies and equipment to create one (1) position to allow the Department to fund start-up costs for the new mental health rehabilitation facility for fiscal year 1994-95; placing \$130,000 on reserve. (Department of Public Health)

File 101-94-53, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

[Public Employment, DPH, Add One Position]

Ordinance amending Ordinance No. 293-94 (Annual Salary Ordinance, 1994-95), Department of Public Health, Community Mental Health Services, reflecting the addition of one position; companion measure to File 101-94-53. (Department of Human Resources)

File 102-94-8, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

Adopted

[Earthquake Emergency Relief Fund Expenditure]

Resolution approving additional expenditure of \$4,860 above the \$35,000 placed in reserve in Resolution 77-94 and released for expenditure in Resolution 1023-94 from the Mayor's Earthquake Emergency Relief Fund for the services of a technical writer consultant to modernize and revise the City and County Emergency Operations Plan. (Mayor's Office of Emergency Services)

File 270-93-6.1, Resolution No. 72-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

[Emergency Repair, Aladdin Terrace Sewer]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewers in Aladdin Terrace between Taylor Street and the deadend - \$39,610. (Department of Public Works)

File 28-95-1, Resolution No. 91-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

[Emergency Repair, Broderick Street Sewer]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewers in Broderick Street between Washington and Jackson Streets - \$116,815. (Department of Public Works)

File 28-95-2, Resolution No. 92-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

[Emergency Repair, Natoma Street Sewer]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewers in Natoma Street between Seventh and Eight Streets - \$118,305. (Department of Public Works)

File 28-95-3, Resolution No. 93-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

[Sewer Revenue Bonds]

Resolution declaring the intent of the City and County to reimburse certain expenditures from proceeds of future indebtedness; and authorizing the Chief Administrative Officer to develop a plan of finance. (Chief Administrative Officer)

File 170-95-2, Resolution No. 96-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

Recommendations of Government Efficiency and Labor Committee

Adopted

[MOU, Local 790, Superior Court Bargaining Unit SC4]

Resolution ratifying Memorandum of Understanding between the Service Employees International Union, Local 790, AFL-CIO and the City and County for Superior Court bargaining unit SC4; retroactive to January 1, 1995 through June 30, 1997. (Department of Human Resources)

File 93-94-34, Resolution No. 81-95



Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

Passed for Second Reading

[MOU, Local 790, Superior Court Bargaining Unit SC4]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Service Employees International Union, Local 790, AFL-CIO and the City and County for Superior Court bargaining unit SC4; retroactive to January 1, 1995 through June 30, 1997; companion measure to File 93-94-34. (Department of Human Resources)

File 93-94-34.1, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

[Acceptance of Credit Card and ATM Card Payments]

Ordinance amending Administrative Code, which authorizes the Recreation and Park Commission to accept credit cards or Automatic Teller Machine Card ("ATM") for the payment of fees and charges. (Recreation and Park Department)

File 97-94-81, Ordinance No.

(Adds Section 10.11-2.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

Adopted

[Grant, Substance Abuse Treatment Services]

Resolution authorizing the Department of Public Health, Community Substance Abuse Services to accept and expend an augmentation to a grant up to the amount of \$300,000 which excludes indirect costs from the U.S. Department of Health and Human Services, Center for Substance Abuse Treatment through the State of California, Department of Alcohol and Drug Programs to provide court liaison and drug courts/substance abuse treatment services; waiving indirect costs; placing \$238,750 on reserve. (Supervisor Leal)

File 146-93-58.3, Resolution No. 71-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

[Moscone Center Garage, Management Agreement Award]

Resolution confirming award of the Management Agreement for the Moscone Center Garage to ABC Parking. (Real Estate Department)

File 47-94-8.1, Resolution No. 73-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

[Lease of Property, 1155 Market Street]

Resolution authorizing the continuation of a lease of real property at 1155 Market Street for the Department of Human Resources' Health Service System and Employees' Retirement System's Workers Compensation Division on a month-to-month basis; retroactive to December 1, 1994 and not to exceed November 30, 1995. (Real Estate Department)

File 64-94-22, Resolution No. 78-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

[Lease, 1975-1999 Bryant Street, DPT]

Resolution authorizing an amendment and extension of an existing lease of real property at 1975-1999 Bryant Street for the Department of Parking and Traffic; retroactive to July 1, 1994 through June 30, 1999. (Real Estate Department)

File 64-94-24, Resolution No. 80-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

[Federal Grant, Online Human Services Directory]

Resolution authorizing the Public Library to accept and expend funds in the amount of \$425,000 available through United States Department of Commerce, National Technology Information Administration (NTIA), for the purpose of establishing the San Francisco Connection-City and County Online Human Services Directory. (Supervisor Leal)

File 147-94-8, Resolution No. 84-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

[Interjurisdictional Agreement, Waste Management]

Resolution adopting Interjurisdictional Agreement between member counties of the San Francisco Hazardous Waste Management Capacity Allocation Committee. (Chief Administrative Officer)

File 172-94-48, Resolution No. 85-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

[Hold Harmless Agreement, Port-PG&E]

Resolution authorizing the Port to hold Pacific Gas and Electric Company harmless for claims arising from installation of underground electric work and gas service at Pier 45, Fisherman's Wharf. (Port)

File 172-94-49, Resolution No. 61-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

[Cost-Sharing Agreement, BART-MUNI]

Resolution authorizing Director of Public Transportation Department to execute a cost-sharing agreement between BART and the Municipal Railway to provide Americans with Disabilities Act Paratransit Services; retroactive to July 1, 1994. (Public Transportation Commission)

File 172-94-50, Resolution No. 86-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

Adopted as Amended

[Grant, Muni Railway Technical Assistance Project]

Resolution authorizing the Public Transportation Commission to apply for \$150,000 of Federal Section 26 operating technical assistance funds; including local match of \$37,500; waiving indirect costs. (Public Transportation Commission)

File 293-94-2, Resolution No. 87-95

Supervisor Hallinan, seconded by Supervisor Leal, moved an amendment of the whole entitled, "Resolution authorizing the Public Transportation Commission to apply for \$150,000 of Federal Section 26 operating technical assistance funds; including local match of \$37,500; waiving indirect costs."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

Recommendation of Health, Public Safety and Environment Committee

Adopted

[Hold Harmless Provision]

Resolution authorizing the Chief Administrative Officer to enter into a Fourth Amended Agreement and approving a hold harmless provision for the Very Small Quantity Generator Hazardous Waste Pilot Collection Program jointly operated by Sanitary Fill Company and the Chief Administrative Officer. (Supervisor Hallinan)

File 128-94-2, Resolution No. 82-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following person:

Virginia Conway, open space, litter.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Parking Rate, Moscone Garage]

Resolution requesting and authorizing a special rate for the Moscone Center garage for five special events held at the San Francisco Museum of Modern Art and for the City to attempt to secure a long-term parking contract with the Museum and/or its parking vendor. (Supervisor Migden)

File 047-95-005, Resolution No. 94-95

(January 23, 1995 - Introduced in Board for consideration on February 1, 1995.)

Adopted.

[Recycling Program]

Resolution recognizing San Francisco Recycling Program for their efforts in improving the quality of life and the environment of our City and encouraging the Recycling Program to continue to implement more targeted programs throughout the City that increases the amount of waste recycled. (Supervisors Bierman, Shelley)

File 057-95-001, Resolution No. 95-95

(January 23, 1995 - Introduced in Board for consideration on February 1, 1995.)

Adopted.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[Labor Issue, UCSF Contracting Out Warehouse]

Resolution urging the University of California Regents, UCSF Chancellor, Vice Chancellors and medical administration to renew the public commitment to cost-effective services that include diverse representation of communities and to continue to provide for adequate experienced staffing levels with sustained training and safety measures and if possible to retain these services in-house. (Supervisor Hallinan)

File 176-95-001, Resolution No. 97-95

(January 23, 1995 - Introduced in Board for consideration on February 1, 1995.)

Adopted.

[Final Map, 2417-2423 Larkin Street]

Motion approving final map of 2417-2423 Larkin Street a Condominium Project, being a resubdivision of Lot 7 in Assessor's Block 524, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-95-2

(January 23, 1995 - Introduced in Board for consideration on February 1, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-5, Resolution No. 62-95

(Frank M. Jordan, Mayor, January 23 - 30; Sue Bierman, member, Board of Supervisors, February 9 - 13; Tom Hsieh, member, Board of Supervisors, January 25 - 27 and March 11-15; Kathryn Fong, member, Human Rights Commission, February 7 - 10; Anne Halsted, member, Port Commission, January 25 - 26; Michael Hardeman, member, Port Commission, January 26 - 29; Anthony D. Ribera, Chief of Police, January 26 - 30, 1995.)

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board find by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Kennedy, seconded by Supervisor Hallinan, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Kennedy, seconded by Supervisor Hallinan, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

Adopted

[Commend 45ers, 1995 Super Bowl Champions]

Resolution commending the San Francisco Forty-niners on their impressive victory on January 29, 1995

and congratulating the Forty-niners as the 1995 Super Bowl Champions.

File 006-95-004.01, Resolution No. 63-95

Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng presented for immediate adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

[Welcoming Nyanisile Moses Boyce]

Resolution welcoming Nyanisile Moses Boyce from the township of Zwide, City of Port Elizabeth, in the Region of the Eastern Cape of South Africa.

File 006-95-010, Resolution No. 64-95

Supervisor Kennedy presented for immediate adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

#### OFF-CALENDAR LEGISLATION

#### ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Franchise Application Fee]

Substitute ordinance amending Administrative Code by adding Article 4, Section 11.75, to require franchise applicants to pay a fee to defray the City's costs of evaluating the application. Supervisor Bierman presented. Referred to Budget Committee with request it be considered at its February 8, 1995 meeting.

File 097-94-077.

[Appropriation, Police, \$332,000, Semi-automatics]

Ordinance appropriating \$332,600, Police Department, for materials and supplies and equipment (to purchase semi-automatic handguns, ammunition and a firearms training simulator). Supervisor Kaufman presented. Referred to Budget Committee.

File 101-94-064.

[Campaign Finance Reform]

Ordinance amending Administrative Code Sections 16.501, 16.502, 16.503, 16.505, 16.508, 16.509 and 16.515 and adding Sections 16.510-1 through 16.510-6, relating to campaign finance reform. Supervisor Hallinan presented. Referred to Rules Committee.

File 097-95-003.

[Rent, Domestic partners, Move in Eviction]

Ordinance amending Administrative Code Section 37.9 to permit domestic partnership to be a basis for owner move in evictions. Supervisors Migden, Alioto. Referred to Housing and Land Use Committee.

File 109-95-001.

File 109-95-002. [Owner-Occupied Four Units or Less Exemption]

Ordinance amending Administrative Code by amending Section 37.12 by adding Section 37.12(c), providing for notice to landlords and tenants of the repeal of the exemption from rent regulation for owner-occupied buildings containing four units or less. Supervisor Migden presented. Referred to Housing and Land Use Committee.



Referred to Board

File 006-95-007. [Commend Japanese American Citizens League] Resolution commending and supporting the National Headquarters Staff, the outgoing Board of Directors and members of the Japanese American Citizens League that advocated for the landmark decision on same sex marriages and encouraging the incoming board to continue supporting the policy. Supervisors Migden, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar February 6, 1995.

File 006-95-008. [Commend Tom Di Maria] Resolution commending and honoring Tom Di Maria, Executive Director of the Gay and Lesbian Alliance against Defamation for his outstanding efforts in making his organization a leading force in promoting a fair and accurate depiction of lesbians and gays in the media. Supervisors Migden, Leal, Ammiano, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar February 6, 1995.

File 006-95-009. [Commend Opening of the Opera Harvey Milk] Resolution commending the opening of the opera Harvey Milk. Supervisors Leal, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar February 6, 1995.

File 068-95-002.01. [Grant, Federal Funds, Mayor, \$1,500,000, Housing Resolution authorizing the Mayor to accept and expend a grant from the U.S. Department of Housing and Urban Development for a total amount not to exceed one million five hundred thousand dollars (\$1,500,000) for the acquisition, rehabilitation and construction of supportive housing for homeless mentally disabled persons. Indirect costs associated with the acceptance of this grant will be paid by Community Development Block Grant funds. Supervisor Leal presented. Referred to Board for Adoption Without Committee Reference Calendar February 6, 1995.

Called from Committee; Referred to Board

File 192-95-001. [Federal Grant, Retrofit of the Central Freeway] Substitute resolution authorizing the Executive Director of the Department of Parking and Traffic to apply for, accept and expend up to \$400,000 in federal funds for the modification and extension of an existing consultant contract in order to evaluate the feasibility of alternatives to the retrofit of the Central Freeway, waiving reimbursement of indirect costs; providing for ratification of action previously taken. Supervisor Hallinan presented. Called from Committee by the Board with direction to schedule for Board For Adoption Without Committee Reference Calendar February 6, 1995.

Referred to Board

File 200-95-001. [Pothole Hotline] Resolution urging the Chief Administrative Officer to urge the Department of Public Works to issue a press release making its pothole hotline numbers known and further urging the Chief Administrative Officer to urge the Department to explore other ways to ensure that the public is aware of these phone numbers. Supervisor Migden presented. Referred to Board for Adoption Without Committee Reference Calendar February 6, 1995.

File 213-95-001. [Discrimination, State of Nebraska] Resolution urging the Governor and Legislature of the State of Nebraska to refrain from discriminating legislation that would deprive needy children of decent and loving parenting (foster children placement in non-traditional families). Supervisors Bierman, Migden, Alioto, Teng, Ammiano, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar February 6, 1995.

Referred to Committee

File 215-95-001. [Permit, United Nations Plaza, Feeding Services] Resolution issuing permit to Food Not Bombs pursuant to Administrative Code Section 2.74 for Food Not Bombs to conduct feeding services on the Hyde Street side of United Nations Plaza on Tuesdays and Thursdays between 11:00 a.m. and 2:00 p.m. Supervisors Hallinan, Bierman, Ammiano, Alioto presented. Referred to Government Efficiency/Labor Committee.

Requests for Hearings:

File 100-94-021. [Budget, Controller's Six Month Report] Hearing to consider the Controller's six month report. Supervisor Hsieh presented. Referred to Budget Committee with request it be considered at the February 8, 1995 meeting.

File 047-95-006. [Vallejo Street Garage] Hearing to consider the plans to demolish the Vallejo Street Garage 225 parking spaces and replace it with 150 spaces and its impact on the North Beach community. Supervisors Alioto, Bierman presented. Referred to Health/Public Safety/Environment Committee with request it be considered at the February 28, 1995 meeting.

File 186-95-002. [City Store Status Report] Hearing to consider the status of the establishment of a city store. Supervisor Leal presented. Referred to Government Efficiency/Labor Committee.

File 193-95-001. [Candlestick Park Renovation Plans, Superbowl 1999] Hearing to consider the Mayor's plan to renovate Candlestick Park for the 1999 Superbowl. Supervisors Hsieh, Bierman, Shelley, Hallinan, Migden, Leal, Alioto presented. Referred to Budget Committee.

File 197-95-002. [Grants for the Arts Funding] Hearing to consider the Grants for the Arts funding. Supervisor Kennedy presented. Referred to Economic Vitality/Social Policy Committee.

File 207-95-002. [Permit, One Night Dance] Hearing to consider the Police Department's "One Night Dance" permit policy and its impact on the business and entertainment industry. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee with request it be considered at the February 28, 1995 meeting.

File 207-95-003. [Office of Citizen Complaints] Hearing to consider issues concerning the Office of Citizen Complaints and the Police Department regarding more effective civilian and departmental oversight of police officers and patrol special officers; policies and procedures regarding investigations into alleged misconduct, discipline and accountability. Supervisor Ammiano presented. Referred to Health/Public Safety/Environment Committee.

File 211-95-001. [Cultural Exchange, African-American/Jewish Youths] Hearing to consider support of a Day of Cultural Exchange between African-American and Jewish Youths in a university setting. Supervisors Kennedy, Alioto, Ammiano, Bierman, Hallinan, Hsieh, Leal, Migden, Shelley, Teng presented. Referred to Economic Vitality/Social Policy Committee.

#### Motions

#### Referred to Board

File 030-95-001.02. [Needle Exchange Emergency] Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Migden presented. Referred to Board for Adoption Without Committee Reference Calendar February 6, 1995.

#### Referred to Committee

File 165-95-002. [Management Audit, Airport Financial Surplus] Motion directing the Board of Supervisors Budget Analyst to conduct a report of the San Francisco International Airport to determine the financial surplus at the Airport and the amount of money, if any, from that surplus which may be available to the general fund. Supervisor Shelley presented. Referred to Rules Committee.

#### Introduced by the President at the Request of Departments

#### Ordinances Referred to Committee

File 045-95-004. [Settlement of Litigation, Edward Casanova] Ordinance authorizing settlement of litigation of Edward Casanova against the City and County of San Francisco by payment of \$10,000. (Superior Court No. 952-434) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 101-94-058. [Appropriation, Police Department] Ordinance appropriating \$1,921,844, Police Department, from the General Fund Reserve, for salaries, fringe benefits, other non-personal services, materials and supplies and services of other departments, and rescinding \$200,000 from Court overtime to increase staffing for fiscal year 1994-95. RO #94173. (Controller) Referred to Budget Committee.

File 101-94-059. [Appropriation, Department of Public Health] Ordinance appropriating \$3,670,238, Department of Public Health, Mental Health, of Medi-Cal and Medi-Care revenues to salaries, fringe benefits, telephones, medical services contracts and equipment for the creation and deletion of one (1) position for Mental Health Managed Care in fiscal year 1994-95. RO #94157. (Department of Public Health) Referred to Budget Committee.

File 102-94-009. [Public Employment, Sheriff, Add Nine Positions] Ordinance amending Ordinance No. 293-94 (Annual Salary Ordinance, 1994-95) reflecting the addition of nine positions, Sheriff's Department (Classification 8274 Police Cadet (3), 8302 Deputy Sheriff (6)). (Department of Human Resources) Referred to Budget Committee.

File 124-94-15. [Voluntary Bicycle Registration] Substitute ordinance amending Traffic Code by adding Article 5A, Sections 109 through 109.4 to authorize the Police Department to administer a Voluntary Bicycle Registration Program and to collect an administrative fee of five dollars (\$5.00) for bicycle registration, to establish the Bicycle Registration Fund, and to require reporting of expenditures from the fund. (Police Commission) Referred to Housing and Land Use Committee.



Resolutions Referred to Committee

File 023-95-001. [Waive Statute of Limitations, §101] Resolution waiving the statute of limitations with respect to payment of certain warrants of the City and County of San Francisco, the sum of \$101 a legal obligation of the City and County of San Francisco. (Carter W. Baum, deceased; Payee, Sharon Ann Baum, spouse.) (Controller) Referred to Budget Committee.

File 030-95-003. [Licensure, Chemical Awareness and Treatment Services, Inc.] Resolution recommending the licensure of Chemical Awareness and Treatment Services, Inc. to provide 30-month multiple offense/driving under the influence, chemical dependency and poly-drug abuse treatment services in the City and County of San Francisco. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 040-95-004. [Residential Parking Area "A"] Resolution amending a certain portion of Residential Parking Area "A" in the Telegraph Hill, North Beach, Russian Hill Area. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 048-95-003. [Settlement of Claim, Peter Gentile] Resolution approving the settlement of the unlitigated claim of Peter Gentile by payment of \$18,000 plus interest and attorney's fees of \$10,000 plus interest. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 084-95-001. [Property Acquisition, Bernal Heights Property] Resolution authorizing purchase agreement for acquisition of real property located in Bernal Heights and identified as City and County of San Francisco Assessor's Block 5556, Lots 28, 29 and 30 for the realignment of Brewster Street and Esmeralda Avenue and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department) Referred to Budget Committee.

File 133-95-002. [State Grant, Earthquake Hazard Mitigation] Resolution authorizing the Chief Administrative Officer, as local hazard mitigation coordinator or his designate, the Director of Public Works, to apply for, accept and expend Hazard Mitigation Grant Funds from California's Earthquake Safety and Public Buildings Rehabilitation Bond Act of 1990 in the amount of \$4,480,511 with a commitment of local City and County match of funds in the minimum amount of twenty-five percent for each project (total minimum of \$1,120,128 for the six projects) and waiving indirect costs; rescinding Resolution No. 793-93. (Also see File 133-93-3.) (Chief Administrative Officer) Referred to Government Efficiency/Labor Committee.

File 172-95-003. [Targeted Case Management Contract Amendment] Resolution authorizing the Director of Public Health to execute an amended contract with the State Department of Health Services in the amount of \$27,317,189 for the period of July 1, 1992 through June 30, 1994 for Medi-Cal Administrative Claiming allowable for Federal financial participation, including a provision indemnifying the State from any Federal disallowance, including interest charges. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 172-95-004. [Tolling Agreement, Escobar Litigation] Resolution authorizing City Attorney to enter into an agreement with the County of Sonoma to toll the statute of limitations on any cross-complaints that either the City and County of San Francisco or the County of Sonoma may have in litigation brought against them both by Elia Escobar and Irma Vargas. (Superior Court No. 963-623) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 192-95-001. [Federal Grant, Retrofit of the Central Freeway] Resolution authorizing the Director of the Department of Parking and Traffic to apply for, accept and expend up to \$400,000 in Federal funds for the modification and extension of an existing consultant contract in order to evaluate the feasibility of alternatives to the retrofit of the Central Freeway, foregoing reimbursement of indirect costs. (Also see File 85-94-4) (Department of Parking and Traffic) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Hsieh, that City Attorney prepare ordinance which would provide for public hearings of the reports from the Civil Grand Jury by an appropriate committee of the Board of Supervisors and to require a follow-up report by the Controller within a year of the reports as to the status of the recommendations suggested by the Civil Grand Jury.

By Supervisor Leal, that City Attorney prepare ordinance which would authorize the sale of the Centennial cable car medallions and allow the City Store to use the City Seal in its operation.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Mark Finch (Supervisors Migden, Leal)  
Loring Edward Ross (Supervisor Bierman)  
Timothy Scott Napier (Supervisors Kaufman, Hallinan)  
Donald Shaskan (Supervisors Leal, Bierman, Hallinan)  
Ward James Potthoff (Supervisor Leal)  
Edmund Rhein (Supervisor Leal)

File 2-95-5.

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:17 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 3, 1995

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

Monday, February 6, 1995

# **Journal of Proceedings**

*The Minutes of the*

# **Board of Supervisors**

City and County of San Francisco

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Volume 90

Number 6



JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, February 6, 1995 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:06 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Alioto, moved that the Journal of Proceedings for Monday, January 17, 1995, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Presentation of Guest;  
Suspension of the Rules

Supervisor Alioto introduced and welcomed Mrs. Jan Streck, the mother of Tony Anthony, who was killed in the Polk Gulch area.

Supervisor Alioto, seconded by Supervisor Hsieh, moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Mrs. Jan Speck.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Mrs. Speck thanked the Board of Supervisors and the Mayor for offering a reward for information leading to the arrest and conviction of the murderer of her son but urged the Board to urge the Mayor to help solve the murder of her son and four other young men who were killed in this area by increasing the amount of the reward from \$10,000 to \$25,000.

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair so the President could participate in the debate from the floor.

Presentation of Guests;  
Suspension of the Rules;  
Presentation Made

President Shelley introduced and welcomed Joe Smith, operator of the City Hall cafeteria.

At the request of President Shelley, Supervisor Leal, seconded by Supervisor Kaufman, moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Joe Smith.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Supervisor Shelley presented a Certificate of Honor to Joe Smith for his 32 years of service with the California Department of Rehabilitation and to congratulate him on his appointment as administrator of the Business Enterprise Development Program.

Mr. Smith thanked the Board of Supervisors for the commendation and introduced and acknowledged the support of his wife, Marcie, and son, Keith.

The President resumed the Chair.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Department of Public Health]

Ordinance appropriating \$151,058, Department of Public Health-Mental Health, from the General Fund reserve for medical services contracts to continue Substance Abuse Programs through January 15, 1995; providing for ratification of action previously taken. (Supervisor Leal)

File 101-94-51, Ordinance No.

(Fiscal Impact.)

Finally passed.

[Appropriation, Department of Public Health]

Ordinance appropriating \$2,252,066, Department of Public Health-Mental Health, for salaries, fringe benefits, professional and other contractual services, materials and supplies and equipment to create one (1) position to allow the Department to fund start-up costs for the new mental health rehabilitation facility for fiscal year 1994-95; placing \$130,000 on reserve. (Department of Public Health)

File 101-94-53, Ordinance No.

(Fiscal Impact.)

Finally passed.

[Public Employment, DPH, Add One Position]

Ordinance amending Ordinance No. 293-94 (Annual Salary Ordinance, 1994-95), Department of Public Health, Community Mental Health Services, reflecting the addition of one position; companion measure to File 101-94-53. (Department of Human Resources)

File 102-94-8, Ordinance No.

(Fiscal Impact.)

Finally passed.

Passed for Second Reading

[Appropriation, Various Departments]

Ordinance appropriating \$103,819, various departments, from the General Fund reserve to materials and supplies, equipment and capital improvement projects and appropriating \$65,184 from the Retirement Trust Fund to Equipment at the Retirement System for fiscal year 1994-95; implementing Mayor's Budget Incentive Program. (Controller)

File 101-94-55, Ordinance No.

Passed for second reading.

[Appropriation, Mayor, \$50,000, Earthquake Relief]

Ordinance appropriating \$50,000, Mayor, from General Fund Reserve for other non personal services, to provide earthquake relief to Japan. (Supervisors Hsieh, Shelley, Bierman, Leal, Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Migden, Teng)

File 101-94-57, Ordinance No.

Passed for second reading.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Settlement of Litigation, Allstate/Howe/Leong]

Ordinance authorizing settlement of litigation of Allstate Insurance Company, Jeffrey Howe and Allison Leong against the City and County by payment of \$9,000. (City Attorney)

File 45-94-70, Ordinance No.

(Superior Court No. 907-587)

Finally passed.

[Settlement of Litigation, Christine Calabrese]

Ordinance authorizing settlement of litigation of Christine Calabrese against the City and County by payment of \$25,000. (City Attorney)

File 45-94-71, Ordinance No.

(Superior Court No. 954-177)

Finally passed.

[Settlement of Litigation, Joseph E. Smith]

Ordinance authorizing settlement of litigation of Joseph E. Smith against the City and County by payment of \$41,850 and waiver of medical lien in the amount of \$4,902.11. (City Attorney)

File 45-94-72, Ordinance No.

(Superior Court No. 948-750)

Finally passed.

[Settlement of Litigation, J. Solis v. S. Dyer]

Ordinance authorizing settlement of John A. Solis v. Shuan Michael Dyer, et al., upon receipt of the sum of \$13,750 and dismissal of complaint. (City Attorney)

File 46-95-1, Ordinance No.

(Superior Court No. 952255)

Finally passed.

[License Agreement, Museum Cafe]

Ordinance authorizing a License Agreement with Diane Tom as licensee for operation of a Cafe at the War Memorial Veterans Building. (Real Estate Department)

File 62-94-1, Ordinance No.

Finally passed.

[Port, Lease Modification, Seawall Lot 334]

Ordinance approving Lease Modification Agreement between the Port Commission as assigned to the Redevelopment Agency and the Ship Clerks Memorial Hall Association, ILWU, Local 34, for Seawall Lot 334 (Embarcadero and Berry Street). (Port)

File 65-94-19, Ordinance No.

Finally passed.

[MOU, Local 790, Superior Court Bargaining Unit SC4]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Service Employees International Union, Local 790, AFL-CIO and the City and County for Superior Court bargaining unit SC4; retroactive to January 1, 1995 through June 30, 1997; companion measure to File 93-94-34. (Department of Human Resources)

File 93-94-34.1, Ordinance No.

(Fiscal Impact.)

Finally passed.

[Acceptance of Credit Card and ATM Card Payments]

Ordinance amending Administrative Code, which authorizes the Recreation and Park Commission to accept credit cards or Automatic Teller Machine Card ("ATM") for the payment of fees and charges. (Recreation and Park Department)

File 97-94-81, Ordinance No.

(Adds Section 10.11-2.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

#### REGULAR CALENDAR

#### UNFINISHED BUSINESS

#### Recommendation of Budget Committee

Consideration Continued

[Adult Probation Service Reimbursement Fee]

Ordinance amending Administrative Code, authorizing the Adult Probation Department to collect an administration fee in the amount of \$120.00 for the cost of services rendered in processing petitions. (Adult Probation Department)

File 97-94-78, Ordinance No.

(Adds Section 8.31-2.)

(February 1, 1995 - Consideration continued to February 6, 1995 with pending amendment.)

Supervisor Ammiano, seconded by Supervisor Hallinan, moved to continue consideration to February 27, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

#### Recommendation of Economic Vitality and Social Policy Committee

Tabled

[Film Production Activities]

Ordinance amending Police Code, to except certain film production activities from the provisions of Article 29, Regulation of Noise. (Supervisor Alioto)

File 121-S4-9, Ordinance No.



(Adds Section 2914.1;  
Amends Sections 2915 and 2916.)

(December 19, 1994 - Consideration continued to February 6, 1995.)

Supervisor Alioto, seconded by Supervisor Leal, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

#### NEW BUSINESS

#### Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Department of Public Health]  
Ordinance appropriating \$206,184, Department of Public Health-Mental Health, to allow the Department to maintain staffing for Jail Health Services for fiscal year 1994-95. (Controller)

File 101-94-52, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Appropriation, Department of Public Health]  
Ordinance appropriating \$1,396,099, Department of Public Health, of Medi-Cal and Medi-Care revenues to salaries, fringe benefits, medical service contracts, professional services, training, and other non-personal services and materials and supplies to allow the Department of Public Health to augment mental health services and alleviate overcrowding in the Psychiatric Emergency Service Program at San Francisco General Hospital for fiscal year 1994-95; placing \$2,890 on reserve. (Controller)

File 101-94-56, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Waiver of Permit Fees - Bureau of Fire Prevention]  
Ordinance waiving Fire Prevention Permit Fees for the "Chili Cookout" event at Slims, held on September 18, 1994, to benefit the Fire Department Water Rescue Unit. (Supervisor Hsieh)

File 208-95-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Deviation of Parking Rates - Performing Arts Garage]  
Resolution authorizing deviation of rates at Performing Arts Garage to allow Administrative Assistants and Legislative Aides to members of the Board of Supervisors to park without cost at the Performing Arts Garage. (Supervisors Kaufman, Bierman, Ammiano)

File 47-95-2, Resolution No.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Board of Supervisors Department Budget, FY 1995/96]

Motion authorizing and directing the Clerk of the Board to file with the Controller the budget estimates for fiscal year 1995-96 for the Department of the Board of Supervisors. (Clerk of the Board)

File 100-95-2

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Gary Johnson, murder of Tony Ray;  
Camille G. Liberty, gender identity;  
Charles Durham, Tony Ray reward increase;  
Steve Stevens, Tony Ray reward increase;  
Waylen D. Caison, Tony Ray;  
Jana DeClercq, Tony Ray;  
Floyd Brown, Wall Street Journal article;  
Shelley Salieri, Wall Street Journal article, transgender issue.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference

Supervisor Migden requested that the following measure be severed from For Adoption Without Committee Reference and considered separately.

Tabled

[Commend Japanese American Citizens League]

Resolution commending and supporting the National Headquarters Staff, the outgoing Board of Directors and members of the Japanese American Citizens League that advocated for the landmark decision on same sex marriages and encouraging the incoming board to continue supporting the policy. (Supervisors Migden, Bierman, Alioto)

File 6-95-7, Resolution No.

(February 1, 1995 - Introduced in Board for consideration on February 6, 1995.)

Supervisor Migden, seconded by Supervisor Kennedy, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference.

For Adoption Without Committee Reference Calendar

Adopted

[Commend Tom Di Maria]

Resolution commending and honoring Tom Di Maria, Executive Director of the Gay and Lesbian Alliance against Defamation for his outstanding efforts in making his organization a leading force in promoting a fair and accurate depiction of lesbians and gays in the media. (Supervisors Migden, Leal, Ammiano, Alioto, Kaufman, Shelley)

File 6-95-8, Resolution No.

(February 1, 1995 - Introduced in Board for consideration on February 6, 1995.)

Adopted.

In connection with the above item, Supervisors Kaufman and Shelley requested to be added as co-sponsors.

[Commend Opening of the Opera Harvey Milk]

Resolution commending the opening of the opera Harvey Milk. (Supervisors Leal, Ammiano)

File 6-95-9, Resolution No.

(February 1, 1995 - Introduced in Board for consideration on February 6, 1995.)

Adopted.

[Grant, Federal Funds, Mayor, \$1,500,000, Housing]

Resolution authorizing the Mayor to accept and expend a grant from the U.S. Department of Housing and Urban Development for a total amount not to exceed one million five hundred thousand dollars (\$1,500,000) for the acquisition, rehabilitation and construction of supportive housing for homeless mentally disabled persons. Indirect costs associated with the acceptance of this grant will be paid by Community Development Block funds. (Supervisor Leal)

File 68-95-2.1, Resolution No.

(February 1, 1995 - Introduced in Board for consideration on February 6, 1995.)

Adopted.

[Federal Grant, Retrofit of the Central Freeway]

Resolution authorizing the Executive Director of the Department of Parking and Traffic to apply for, accept and expend up to \$400,000 in federal funds for the modification and extension of an existing consultant contract in order to evaluate the feasibility of alternatives to the retrofit of the Central Freeway, waiving reimbursement of indirect costs; providing for ratification of action previously taken. (Supervisor Hallinan)

File 192-95-001, Resolution No.

(February 1, 1995 - Called from Committee for consideration on February 6, 1995.)

Adopted.

[Pothole Hotline]

Resolution urging the Chief Administrative Officer to urge the Department of Public Works to issue a press release making its pothole hotline numbers known and further urging the Chief Administrative Officer to urge the Department to explore other ways to ensure that the public is aware of these phone numbers. (Supervisor Migden, Shelley)

File 200-95-001, Resolution No.

(February 1, 1995 - Introduced in Board for consideration on February 6, 1995.)

Adopted.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[Discrimination, State of Nebraska]

Resolution urging the Governor and Legislature of the State of Nebraska to refrain from discriminating legislation that would deprive needy children of decent and loving parenting (foster children placement in non-traditional families). (Supervisors Bierman, Migden, Alioto, Teng, Ammiano, Shelley)

File 213-95-001, Resolution No.

(February 1, 1995 - Introduced in Board for consideration on February 6, 1995.)

Adopted.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Migden)

File 030-95-001.02

(February 1, 1995 - Introduced in Board for consideration on February 6, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-6, Resolution No.

(Louise Renne, City Attorney, February 3 - 9, 1995.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda.

Adopted

[Purely Commendatory Finding]

Motion that the Board find by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Ammiano, seconded by Supervisor Kennedy, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Ammiano, seconded by Supervisor Kennedy, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Commend Amnesty International]

Resolution commending Amnesty International for its work on behalf of human rights and declaring February 10, 1995, "Human Rights Day" in San Francisco.

File 006-95-011, Resolution No.

Supervisors Teng, Alioto, Bierman presented for immediate adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Commend Breda Transportation, Inc.]

Resolution celebrating the arrival for final assembly of forty-eight new light rail vehicles for the San Francisco Municipal Railway and commending the establishment of a special assembly plant at the Port of San Francisco by Breda Transportation, Inc.

File 006-95-012, Resolution No.

Supervisors Leal, Hsieh presented for immediate adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

#### OFF-CALENDAR LEGISLATION

#### ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Compensation, Local 21]

Ordinance amending Ordinance No. 231-94 implementing the fiscal provisions of the Memorandum of Understanding between the International Federation of Professional and Technical Engineers, Local 21. Supervisor Kaufman presented. Referred to Government Efficiency/Labor Committee with request it be considered as soon as possible.

File 093-94-012.03.

[Ban Facsimile Hand Grenades]

Ordinance amending Part II, Chapter VIII, San Francisco Municipal Code (Police Code) by adding Sections 557.1 and 557.2 to Article 8, to prohibit the sale, possession and transport of a replica or facsimile of a hand grenade. Supervisor Hsieh presented. Referred to Health/Public Safety/Environment Committee.

File 121-94-013.

[Public Power Report]

Ordinance amending Administrative Code by adding Section 11.08 to require the Public Utilities Commission to prepare and transmit to the Board of Supervisors in 1995 and every five years thereafter a report regarding the municipalization of public power. Supervisors Alioto, Bierman presented. Referred to Select Committee on Municipal Public Power with request it be considered at its next meeting.

File 097-95-004.

[Emergency Communications Center]

Substitute ordinance selecting and setting aside certain real property at 1003 Turk Street in the Margaret S. Hayward Playground, Assessor's Block 759, Lot 1, for the construction and operation of a new combined emergency communications center; adopting findings that such project is in conformity with the Master Plan and consistent with the eight priority policies of City Planning Code Section 101.1; and adopting and incorporating findings pursuant to the California Environmental Quality Act. Supervisor Hsieh presented. Referred to Budget Committee.

Monday, February 6, 1995

File 216-95-001.01.

[Memorandum of Understanding, Local 21]

Resolution ratifying amendment to Memorandum of Understanding between the International Federation of Professional and Technical Engineers, Local 21, and the City and County of San Francisco. Supervisor Kaufman presented. Referred to Government Efficiency/Labor Committee with request it be considered as soon as possible.

File 093-94-012.02.

Referred to Board

[Reward]

Resolution urging the Mayor to urge the Police Commission to increase the reward currently being offered for information leading to the arrest and conviction of the murderer of Anthony (Tony) Ray from \$10,000 to \$25,000. Supervisors Alioto, Ammiano, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar February 13, 1995.

File 155-94-004.01.

Referred to Committee

[Labor Dispute]

Resolution opposing the use of replacement baseball players by major league owners. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 176-95-002.

Referred to Board

[Children's Baseline Budget]

Resolution urging the Mayor to keep the 1995-96 Children's baseline budget on a par with overall city services. Supervisors Shelley, Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar February 13, 1995.

File 185-95-002.

[San Francisco Ballet Temporary Home]

Resolution urging the City and County of San Francisco to assist the San Francisco Ballet in finding a temporary home while the War Memorial Opera House is closed for seismic repairs through 1997. Supervisor Migden presented. Referred to Board for Adoption Without Committee Reference Calendar February 13, 1995.

File 197-95-003.

Requests for Hearings:

[Affirmative Action]

Hearing to consider the proposed "California Civil Rights Initiative" which would end affirmative action programs in California. Supervisors Hallinan, Bierman presented. Referred to Government Efficiency/Labor Committee.

File 060-95-001.

[Department of Public Health 1995-96 Budget]

Hearing to consider the Department of Public Health's fiscal year 1995-96 budget and the potential impact on services. Supervisors Alioto, Bierman presented. Referred to Health/Public Safety/Environment Committee with request it be considered at the February 28, 1995 meeting.

File 100-95-003.

Introduced by the President at the Request of Departments

Ordinance Referred to Committee

File 045-95-005. [Settlement of Litigation, Cindy Siu Lam Tang] Ordinance authorizing settlement of litigation of Cindy Siu Lam Tang against the City and County of San Francisco by payment of \$5,555.50. (Municipal Court No. 100-166.) (City Attorney) Referred to Government Efficiency/Labor Committee.



File 065-95-001. [Lease Agreement, Port - H&N Fish Company] Ordinance approving lease agreement between H&N Fish Company and the City and County of San Francisco for ten years operating by and through the San Francisco Port Commission for fish processing and handling at Pier 45, foot of Jefferson Street. (Port) Referred to Government Efficiency/Labor Committee.

File 101-94-060. [Appropriation, Dept. of Parking and Traffic] Ordinance appropriating \$120,000, Department of Parking and Traffic, of Parking Revenue Funds, to a Capital Improvement Project (soil remediation at St. Mary's Square Garage), for fiscal year 1994-95. RO #94147 (Controller) Referred to Budget Committee.

File 101-94-061. [Appropriation, Dept. of Parking and Traffic] Ordinance appropriating \$173,610, Department of Parking and Traffic, of Parking Revenue Funds to a Capital Improvement Project (Polk-Bush Garage architectural services and construction), for fiscal year 1994-94; providing for ratification of action previously taken. RO #94051 (Controller) Referred to Budget Committee.

File 101-94-062. [Appropriation, Board of Supervisors] Ordinance appropriating \$25,000, Board of Supervisors, from the General Reserve Fund to an Election Task Force Project, for fiscal year 1994-95 (Implement Proposition L.) RO #94177 (Controller) Referred to Budget Committee.

File 101-94-063. [Appropriation, Board of Supervisors] Ordinance appropriating \$100,000, Board of Supervisors, from the General Fund Reserve for services of City Attorney's Office to provide support while developing Charter Reform for fiscal year 1994-95. RO #94179 (Controller) Referred to Budget Committee.

File 102-94-010. [Public Employment, DPH, Add One Position] Ordinance amending Ordinance No. 293-94 (Annual Salary Ordinance, 1994-95) Department of Mental Health, Community Mental Health Services, reflecting the addition of one position (Classification 1819 MIS III (1); and deletion of Classification 1844 Sr. Management Assistant (1). Department of Human Resources) Referred to Budget Committee.

File 216-95-001.01. [Emergency Communications Center] Ordinance selecting and setting aside certain real property at 1003 Turk Street in the Margaret S. Hayward Playground, Assessor's Block 759, Lot 1, for the construction and operation of a new Combined Emergency Communications Center; adopting findings that such project is in conformity with the Master Plan and consistent with the Eight Priority Policies of City Planning Code Section 101.1.; and adopting and incorporating findings pursuant to the California Environment Quality Act; companion measure to File 216-95-1.) (Also see Files 185-91-1 and 223-94-2.) (Real Estate Department) Referred to Budget Committee.

#### Resolutions Referred to Committee

File 040-95-005. [Residential Parking Area "U", South of Market] Resolution extending boundaries of Residential Permit Parking Area "U" in the South of Market and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 048-94-004.01. [Unlitigated Claim, Dr. Eugene Sun] Resolution approving the settlement of the unlitigated claim of Dr. Eugene Sun by payment of \$15,000. (Also see File 48-94-4.) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 216-95-001. [Final Negative Declaration, 1003 Turk Street] Resolution adopting Final Negative Declaration, finding and determining that the new 911 Emergency Dispatch Center for the property located at 1003 Turk Street in the Margaret S. Hayward Playground, Assessor's Block 759, Lot 1, will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration; companion measure to File 216-95-1.1. (Also see Files 185-91-1 and 223-94-2.) (Real Estate Department) Referred to Budget Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Ammiano, that City Attorney prepare ordinance to require as standard clause for all agreements or contracts between the City and County and any professional sports organization, which would prohibit the hiring of replacement athletes during a labor dispute.

By Supervisor Hallinan, that letter be sent to Mr. Jack Immendorf in further reference to communication concerning the decision-making group that sets policy for Fleet Week and requesting the following information be provided by March 1, 1995: Who are the members of the Fleet Week Committee; how are they selected; who appoints them; how the City and County and general public may properly direct their concerns and ideas regarding Fleet Week activities; the source and amount of financial and in-kind contributions to Fleet Week activities dating back to 1992; whether Fleet Week is incorporated, the date of incorporation and the legal name.



Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Helen Dreyfus (Supervisors Hallinan, Bierman)  
Matthew Webster Snyder (Supervisors Migden, Leal)  
James Samuel Morris (Supervisors Kennedy, Bierman)  
Mary Wallis (Supervisor Leal)  
John Selig (Supervisor Leal)  
Scott Smith (By the entire Board)

File 2-95-6

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:05 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 10, 1995.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

Monday, February 13, 1995

# **Journal of Proceedings**

*The Minutes of the*

# **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, February 13, 1995 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:05 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Noted absent at first roll call:

Supervisor Bierman - 1.

Quorum present.

Supervisor Bierman excused, on official leave of absence.

COMMUNICATION

The Clerk presented the following communication from his Honor, Mayor Frank M. Jordan:

Referred to Committee

[Appointment, Chief Administrative Officer]  
Communication requesting confirmation and approval by the Board of Supervisors on the appointment of Judge John Ertola to the position of Chief Administrative Officer, effective March 17, 1995. (Mayor)

File 033-95-001.

Referred to Rules Committee.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Department of Public Health]  
Ordinance appropriating \$206,184, Department of Public Health-Mental Health, to allow the Department to maintain staffing for Jail Health Services for fiscal year 1994-95. (Controller)

File 101-94-52, Ordinance No. 40-95

(Fiscal Impact.)

Finally passed.

[Appropriation, Various Departments]  
Ordinance appropriating \$103,819, various departments, from the General Fund reserve to materials and supplies, equipment and capital improvement projects and appropriating \$65,184 from the Retirement Trust Fund to Equipment at the Retirement System for fiscal year 1994-95; implementing Mayor's Budget Incentive Program. (Controller)

File 101-94-55, Ordinance No. 46-95

Finally passed.

[Appropriation, Department of Public Health]

Ordinance appropriating \$1,396,099, Department of Public Health, of Medi-Cal and Medi-Care revenues to salaries, fringe benefits, medical service contracts, professional services, training, and other non-personal services and materials and supplies to allow the Department of Public Health to augment mental health services and alleviate overcrowding in the Psychiatric Emergency Service Program at San Francisco General Hospital for fiscal year 1994-95; placing \$2,890 on reserve. (Controller)

File 101-94-56, Ordinance No. 42-95

Finally passed.

[Appropriation, Mayor, \$50,000, Earthquake Relief]

Ordinance appropriating \$50,000, Mayor, from General Fund Reserve for other non personal services, to provide earthquake relief to Japan. (Supervisors Hsieh, Shelley, Bierman, Leal, Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Migden, Teng)

File 101-94-57, Ordinance No. 43-95

Finally passed.

[Waiver of Permit Fees - Bureau of Fire Prevention]

Ordinance waiving Fire Prevention Permit Fees for the "Chili Cookout" event at Slims, held on September 18, 1994, to benefit the Fire Department Water Rescue Unit. (Supervisor Hsieh)

File 208-95-1, Ordinance No. 47-95

Finally passed.

#### Recommendations of Housing and Land Use Committee

Adopted

[Stop Intersections]

Resolution designating certain intersections as "Stop Intersections". (Housing and Land Use Committee)

File 18-95-2, Resolution No. 116-95

#### (Stop Signs - Establish

Felton and Gambier Streets northeast and southwest corners, stopping Felton Street traffic (makes this an all-way Stop);

Forty-fifth Avenue and Wawona Street, northwest and southeast corners, stopping Forty-fifth Avenue traffic (makes this an all-way stop);

Barneveld Avenue and Shafter Avenue, southeast corner, stopping Shafter Avenue traffic (makes this a two-way stop);

Cerritos Avenue, Lunado Way and Mercedes Way, northeast and southeast corners, stopping northbound Lunado Way and westbound Mercedes Way traffic (presently uncontrolled);

Pacheco Street and Castenada Avenue, northwest corner, stopping southbound Pacheco Street traffic (makes this an all-way stop.)

Adopted.

[Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations. (Housing and Land Use Committee)

File 19-95-1, Resolution No. 117-95

#### (No Parking Anytime - Establish

Taraval Street, south side, 70 feet westerly from Forest Side Avenue (70-foot zone).

No Parking, 6 a.m. - 1 p.m., Monday Through Friday, Except Vehicles with Vanpool Permits - Rescind  
No Parking, 6 a.m. - 9 a.m., Monday Through Friday, Except Vehicles with Vanpool Permits - Establish

Folsom Street, both sides, between First and Spear Streets;  
Folsom Street, north side, between Spear and Steuart Streets.

Parking Meter Area No. 3 (one hour Parking Time Limit, Monday Through Saturday, 9 a.m. - 6 p.m.) - Establish

Ninth Street, both sides, between Bryant and Harrison Streets;

Main Street, both sides, between Folsom and Harrison Streets.

Unmetered Motorcycle Parking - Establish

Octavia Street, east side, from 5 feet to 26 feet south of Haight Street (21-foot zone, accommodating six motorcycles.)

Adopted.

[Traffic Regulations, Various Locations]

Resolution enacting and rescinding traffic regulations on various streets. (Housing and Land Use Committee)

File 20-95-1, Resolution No. 118-95

(No Left Turn, 7:30 a.m. - 8:30 a.m. and 2:00 p.m. - 3:00 p.m., Monday Through Friday - Establish  
Twenty-fourth Street, westbound, at Fair Oaks Street.

No Right Turn, 7:30 a.m. - 8:30 a.m. and 2:00 p.m. - 3:00 p.m., Monday Through Friday - Establish  
Twenty-fourth Street, eastbound, at Fair Oaks Street.

Right Lane Must Turn Right - Establish

Main Street, southbound, at Harrison Street.

One way Street - Rescind

Main Street, northbound, between Folsom and Harrison Streets.

No Turn on Red - Establish

Twenty-third Street, eastbound, at Potrero Avenue.

Twenty-third Street, westbound, at Potrero Avenue.

Hyde Street, southbound, at Turk Street.

Turk Street, westbound, at Hyde Street.

Right Lane Must Turn Right - Establish

Spear Street, southbound, at Harrison Street.)

Adopted.

[Residential Parking Area "I", Bartlett Street]

Resolution amending the boundaries of Residential Permit Parking Area "I" in the Bartlett Street area to include Lot 54 of Block 3596 (on Eighteenth Street, between Mission and Valencia Streets). (Department of Parking and Traffic)

File 40-95-1, Resolution No. 119-95

Adopted.

[Residential Parking Area "I", Bartlett Street]

Resolution extending the boundaries of Residential Permit Parking Area "I" in the Bartlett Street Area and adding Capp Street, between Twenty-fourth and Twenty-fifth Streets, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-95-3, Resolution No. 120-95

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors Alioto, Bierman, Teng - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Budget and Health, Public Safety  
and Environment Committees

Consideration Continued

[General Assistance Property Levels]

Ordinance amending Administrative Code, to increase allowable personal property under the General Assistance Program. (Supervisors Alioto, Bierman, Hallinan, Shelley)

File 97-94-41, Ordinance No.

(Fiscal Impact.)

(Amends Section 20.56.10.)

(January 17, 1995 - Consideration continued to February 13, 1995.)

Supervisor Hsieh, seconded by Supervisor Kaufman, moved to continue consideration to November 13, 1995.

Supervisor Alioto, seconded by Supervisor Kennedy, moved substitute motion to continue consideration to June 12, 1995.

Motion to continue to June 12, 1995 adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kennedy, Leal, Migden, Shelley, Teng - 8.

Noes: Supervisors Hsieh, Kaufman - 2.

Absent: Supervisor Bierman - 1.

Recommendation of Rules Committee

Tabled

[Access Appeals Commission]

Ordinance amending the Building Code, to provide that the Access Appeals Commission reviews proposed code changes, code rulings and administrative bulletins related to disabled access requirements, to require that the Commission ratify all hardship and other exceptions from disabled access requirements granted by the Bureau of Building Inspection until the adoption of formal guidelines by the Commission, to require the Bureau to submit weekly and annual reports to the Commission, and to add another member to the Code Advisory Committee; adopting findings pursuant to California Health and Safety Code Section 17958.5. (Supervisor Leal)

File 114-94-4.1, Ordinance No.

(Amends Sections 209, 215 and 216.)

(January 17, 1995 - Consideration continued to February 13, 1995.)

Supervisor Leal, seconded by Supervisor Kaufman, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

NEW BUSINESS

Recommendations of Housing and Land Use Committee

Passed for Second Reading



[Permit, United Nations Plaza Farmers' Market]

Ordinance approving a temporary revocable permit for a farmers' market at United Nations Plaza for the period of March 1, 1995 through May 1, 1995 (to relocate their location on a temporary basis during construction work at United Nations Plaza). (Supervisor Shelley)

File 10-95-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

Adopted

[101 Freeway Overpass, 25th and Vermont Streets]

Resolution requesting Caltrans to close the 101 Freeway overpass at 25th Street and Vermont Street for a two month trial period; requesting that the overpass be secured during the trial period; requesting that City departments report to the Board of Supervisors the results of the trial period and recommend whether to continue to close the overpass; and requesting that the overpass not be reopened until the Board has had the opportunity to advise Caltrans of the City's recommendations. (Department of Parking and Traffic)

File 171-94-5, Resolution No. 115-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

[Rincon-South Beach Redevelopment Project Plan]

Resolution amending Resolution Nos. 141-77 and 607-91, designating and describing the Northeastern Waterfront Survey Area by adding real property to said survey area. (Redevelopment Agency)

File 151-95-1, Resolution No. 125-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

#### Recommendations of Rules Committee

Passed for Second Reading

[Redevelopment Commissioners]

Ordinance amending Administrative Code, to allow Redevelopment Agency Commissioners to participate in City Employee Health Service System provided Redevelopment Agency Commission approves such participation and agrees to pay all costs. (Supervisor Kaufman)

File 97-94-80, Ordinance No.

(Adds Section 16.701.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

Adopted

[Appointment]

Resolution affirming retention of member appointed by the Board of Supervisors as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District. (Rules Committee)

File 92-94-57.2, Resolution No. 114-95

(James R. Bronkema, vice himself, Seat No. 50302.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

(Supervisor Leal excused from voting in Committee.)

[Health Authority]

Resolution appointing 14 governing body members of the Health Authority for the purposes of providing health care services to Medi-Cal beneficiaries. (Department of Public Health)

File 92-94-74, Resolution No. 113-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

[Appointment]

Resolution appointing member to the Lead Hazard Reduction Citizens Advisory Committee for unexpired portion of four year term ending on June 25, 1997. (Rules Committee)

File 92-95-2, Resolution No. 121-95

(Jordan Rinker, MD, Physician, Seat No. 26717, vice Michael J. Kosnett, MD, MPH, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

[Appointment]

Resolution appointing member to the Assessment Appeals Board for the unexpired portion of the two year term ending September 5, 1996. (Rules Committee)

File 92-95-3, Resolution No. 122-95

(Elizabeth McQuiston, Seat No. 21011/Alternate, vice Alec Lambie, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

[Appointments]

Resolution appointing members to the Citizens' Advisory Task Force for the Central Freeway. (Rules Committee)

File 92-95-4.1, Resolution No. 123-95

(Ron Miguel, The Richmond District, term indefinite;  
Judith Kaminsky, The Panhandle, term indefinite;  
Roddy Creedon, South of Market, term indefinite;  
Kathryn E. Carroll, The Urban Design Profession, term indefinite.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

[Appointments, Sunshine Ordinance Task Force]

Resolution appointing member to the Sunshine Ordinance Task Force. (Rules Committee)

File 92-95-7, Resolution No. 124-95

(Robert R. Planthold, public disabled, interest in citizen access and participation in local government.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

[Request, Supplemental Appropriation, Citywatch]

Motion directing the Clerk of the Board of Supervisors to submit to the Mayor a supplemental appropriation request for \$169,000 to purchase equipment necessary to provide gavel to gavel coverage of the Board of Supervisors meetings. (Supervisors Alioto, Kennedy, Bierman, Ammiano, Shelley, Migden)

File 69-95-1

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

In connection with the above item, Supervisor Migden requested to be added as co-sponsor.

SPECIAL ORDER 3:00 P.M.

Consideration Continued

[Public hearing]

Hearing of persons interested in or objecting to appeal decision of City Planning Commission by its Motion No. 13790, dated December 15, 1994, approving Conditional Use Application No. 93.179C, for conditional use authorization to construct a 13-story mixed use Residential/Commercial Building, exceeding a height of forty feet, containing parking in excess of accessory amounts, large fast food restaurant and recognized as a Planned Unit Development with Planning Code exceptions for dwelling unit exposure, bulk limits, wind speed standards, and rear yard standards within an RC-4 (Residential, Commercial Combined, High Density), District, the Van Ness Avenue Special Use District, an NC-3 (Moderate-Scale Neighborhood Commercial) District and 130V and E Height and Bulk Districts on property located at 600 Van Ness Avenue and Elm Street, 550 and 556 Golden Gate Avenue; Lots 6, 7, 8 and 9, in Assessor's Block 763.

File 37-95-1

(Appeal filed January 17, 1995.)

Supervisor Hallinan, seconded by Supervisor Teng, moved to continue consideration to February 27, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

[Environmental Review, 600 Van Ness Avenue]

Motion certifying review of Final Negative Declaration relating to proposed conditional use of property at 600 Van Ness Avenue between Golden Gate Avenue and Elm Street, 550 and 556 Golden Gate Avenue.

File 37-95-1.4

Supervisor Hallinan, seconded by Supervisor Teng, moved to continue consideration to February 27, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

(Only one of the following two motions should be adopted.)

[Zoning Appeal]

Motion approving decision of the City Planning Commission by its Motion No. 13790, approving Conditional Use Application No. 93.179C, on property located at 600 Van Ness Avenue between Golden Gate Avenue and Elm Street, 550 and 556 Golden Gate Avenue.

File 37-95-1.1

Supervisor Hallinan, seconded by Supervisor Teng, moved to continue consideration to February 27, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

[Zoning Appeal]

Motion disapproving decision of the City Planning Commission by its Motion No. 13790, approving Conditional Use Application No. 93.179C, on property located at 600 Van Ness Avenue between Golden Gate Avenue and Elm Street, 550 Golden Gate Avenue and 556 Golden Gate Avenue, and adopting findings pursuant to City Planning Code Section 101.1.

File 37-95-1.2

Supervisor Hallinan, seconded by Supervisor Teng, moved to continue consideration to February 27, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 93.179C on property located at 600 Van Ness Avenue between Golden Gate Avenue and Elm Street, 550 and 556 Golden Gate Avenue, for action by the Board at its next meeting.

File 37-95-1.3

Supervisor Hallinan, seconded by Supervisor Teng, moved to continue consideration to February 27, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

#### COMMITTEE REPORTS

#### Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Department of Public Works]

Ordinance appropriating \$18,022,000, Department of Public Works, of 1990 Earthquake Safety Bond proceeds to Capital Improvement Projects (City Hall Seismic Upgrade and Zoo Design and Construction), for fiscal year 1994-95; placing a reserve of \$6,700,000. (Controller)

File 101-94-42, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

[Appropriation, Department of Public Health]

Ordinance appropriating \$3,669,818, Department of Public Health, Mental Health, of Medi-Care revenues to salaries, fringe benefits, telephones, medical services contracts and equipment for the creation and deletion of one (1) position for Mental Health Managed Care in fiscal year 1994-95; placing \$111,728 on reserve; providing for ratification of action previously taken. (Department of Public Health)

File 101-94-59, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

[Annual Salary Ordinance, Department of Public Health]

Ordinance amending Ordinance 293-94 (Annual Salary Ordinance, 94/95) Department of Mental Health, Community Mental Health Services, reflecting the addition of one position (Classification 1819 MIS III; and deletion of Classification 1844 Sr. Management Assistant; companion measure to File 101-94-59. (Department of Human Resources)

File 102-94-10, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

Adopted

[Adopt-A-Monument Fiscal Agent]

Resolution authorizing the Art Commission to establish a fiscal agent for the purpose of accepting contributions to an Adopt-A-Monument Fund for the conservation and maintenance of City monuments and sculptures, pursuant to the Art Commission's Adopt-A-Monument Program. (Supervisor Shelley)

File 197-95-1, Resolution No. 126-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

Conference with Labor Negotiator - Collective Bargaining

Adopted

Motion that the Board of Supervisors convene in closed session with, Wendell Pryor, Director of Human Resources, for the purpose of reviewing the City's position and instructing its designated representatives concerning collective bargaining negotiations involving all forms of compensation (including wages, hours, benefits, and working conditions), with all recognized employee organizations, as authorized by California Government Code Section 54957.6.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

Recess

The Board recessed at the hour of 2:37 p.m. to convene in closed session pursuant to above motion.

Reconvening of the Board

The Board, at the hour of 3:23 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 8.

Noted absent:

Supervisors Bierman, Hallinan, Kaufman - 3.

Quorum present.

Supervisor Bierman excused. (See supra.)

Supervisor Hallinan was noted present at 3:24 p.m.

Supervisor Kaufman was noted present at 3:24 p.m.

Report on Closed Session

The Clerk reported that the Board had met in closed session with the City's employee relations representatives as provided in the Government Code.

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations in pending employee relations negotiations.

Supervisor Kennedy, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Patricia Vaughey, small business concessionaire contracts;  
Jill Wynns, Children's budget;  
Carmela Rombawa-Bey, Children's budget;  
Jeff Mori, Children's budget;  
Eric McDonnell, Children's budget;  
Female speaker, Children's budget;  
Garr Tavai-Fiatoa, Geneva Towers evictions;  
Bernal Heights Neighborhood, Children's budget;  
Balboa High School students;  
Antonio Berro;  
Gonzalina Morales, Children's budget;  
Mother of seven children, Children's budget;  
Cathy Pfister, homeless, Children's budget;  
Josefia Perez, Children's budget.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Reward]

Resolution urging the Mayor to urge the Police Commission to increase the reward currently being offered for information leading to the arrest and conviction of the murderer of Anthony (Tony) Ray from \$10,000 to \$25,000. (Supervisors Alioto, Ammiano, Bierman, Migden)

File 155-94-004.01, Resolution No. 129-95

(February 6, 1995 - Introduced in Board for consideration on February 13, 1995.)

Adopted.

In connection with the above item, Supervisor Migden requested to be added as co-sponsor.

[Children's Baseline Budget]

Resolution urging the Mayor to keep the 1995-96 Children's baseline budget on a par with overall city services. (Supervisors Shelley, Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Teng)

File 185-95-002, Resolution No. 128-95

(February 6, 1995 - Introduced in Board for consideration on February 13, 1995.)

Adopted.

[San Francisco Ballet Temporary Home]

Resolution urging the City and County of San Francisco to assist the San Francisco Ballet in finding a temporary home while the War Memorial Opera House is closed for seismic repairs through 1997. (Supervisor Migden)

File 197-95-003, Resolution No. 127-95

(February 6, 1995 - Introduced in Board for consideration on February 13, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

IMMEDIATE ADOPTION CALENDAR

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-7, Resolution No. 98-95

(Sue Bierman, member, Board of Supervisors, March 11 - 19; Willie B. Kennedy, member, Board of Supervisors, February 16 - 20; Marie K. Brooks, member, Airports Commission, February 9 - 22; Anthony D. Ribera, Chief of Police, February 20 - 26, 1995.)



Adopted.

[Grant, State Department of Rehabilitation]

Resolution authorizing the Department of Public Health, Mental Health Services, to accept and expend a grant in the amount of \$128,065, from the State Department of Rehabilitation and to enter into a Cooperative Program Agreement and a Case Service Contract with the San Francisco Department of Rehabilitation District to provide vocational services to mentally ill psychiatric clients; waiving indirect costs. (Supervisor Hallinan)

File 146-95-2, Resolution No. 109-95

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

#### IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda.

Adopted

[Purely Commendatory Finding]

Motion that the Board find by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Kennedy, seconded by Supervisor Hsieh, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Kennedy, seconded by Supervisor Hsieh, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

Adopted

[Domestic Partners Registration Anniversary]

Resolution calling attention to the observance of the Fourth Anniversary of Domestic Partners Registration on Valentine's Day 1995 and commending all San Franciscans celebrating the joys of love on that day.

File 006-95-013, Resolution No. 101-95

Supervisor Ammiano presented for immediate adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

[Commend Jeffrey Jue]

Resolution commending Jeffrey Jue, Deputy Director of Health for Mental Health, Substance Abuse Services for the City and County of San Francisco, on his excellent work and wishing him well in his new position.

File D06-95-014, Resolution No. 102-95

Supervisors Hsieh, Kaufman, Bierman, Leal presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

[Commend, Mark Finch]

Resolution honoring and commending Marc Finch for his contributions to the lesbian and gay community and declaring February 26, 1995 in his honor.

File 006-95-015, Resolution No. 103-95

Supervisor Leal, Migden, Ammiano presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

[Commend City Hall Workers]

Resolution commending the designers and builders of City Hall and the people who have worked here for eighty years.

File 006-95-016, Resolution No. 104-95

Supervisor Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

[Commend, Law Firm of Pillsbury, Madison & Sutro]

Resolution commending the law firm of Pillsbury, Madison & Sutro for its pro bono program in the San Francisco Public Defender's Office.

File 006-95-017, Resolution No. 105-95

Supervisor Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

[Commend, National Japanese Historical Society]

Resolution celebrating the National Japanese American Historical Society's premier of the video documentary "Honor Bound".

File 006-95-018, Resolution No. 106-95

Supervisor Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Bierman - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Overtime Expenditures, Biannual Analysis]

Ordinance amending Administrative Code Section 18.13 requiring all City departments to biannually report overtime expenditures in excess of five percent of budgeted straight-time wages to the Board of Supervisors and analyze whether hiring additional employees would be more cost effective than the overtime hours. Supervisors Hsieh, Alioto, Bierman presented. Referred to Budget Committee.

File 097-94-082.

[Lease, American Airlines, Inc.]

Draft ordinance approving the early relinquishment of Lease No. PUC 69-0798, as amended by PUC 70-0467 and Airports Commission Resolution No. 92-0005 for Plot 40 and approving a new lease for use of a portion of Plot 40 and hangar facilities, between American Airlines, Inc. and the City and County, acting by and through its Airports Commission. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee.

File 027-95-001.

[City Seal]

Ordinance amending Administrative Code by adding Section 1.6-1, authorizing the Chief Administrative Officer to approve use of the seal of the City and County for reproduced or facsimile versions on objects and goods offered for sale by the City and County for the purpose of promoting the City and County. Supervisor Leal presented. Referred to Government Efficiency/Labor Committee.

File 097-95-005.

[Cable Car Medals]

Ordinance amending Administrative Code Section 8.12-2.1 to authorize the Chief Administrative Officer and the Purchaser of Supplies to sell cable car medals. Supervisor Leal presented. Referred to Government Efficiency/Labor Committee.

File 097-95-006.

Referred to Board

[Contract, Custody of Female Juveniles]

Resolution amending Resolution No. 577-94 for a new contract for the 1994-95 contract year between the City and County of San Francisco Juvenile Department and the County of Santa Clara, Santa Clara County Probation Ranches, to provide for the placement of female juveniles. Supervisor Kennedy presented. Referred to Board for Adoption Without Committee Reference Calendar February 27, 1995.

File 172-94-020.01.

[Commend Nina Davis]

Resolution commending Nina Davis for her heroic efforts to save the lives of her three children. Supervisors Kennedy, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar February 27, 1995.

File 006-95-019.

[AIDS Funding]

Resolution urging the United States Congress to support the President's fiscal year 1996 AIDS Budget requests. Supervisors Alioto, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar February 27, 1995.

File 013-95-003.

[CARE Act Reauthorization]

Resolution urging the United States Congress to support the expedited reauthorization of the Ryan White Comprehensive Aids Relief Expansion (CARE) Act. Supervisors Alioto, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar February 27, 1995.

File 013-95-004.

Referred to Committee

["Personal Responsibility Act"]

Resolution establishing the policy of the City and County of San Francisco to oppose the Federal "Personal Responsibility Act". Supervisor Shelley presented. Referred to Health/Public Safety/Environment Committee.

File 013-95-005.

[Lease, Turk/Gough Streets Parking Lot]

Substitute resolution authorizing a parking lot lease located in the vicinity of Turk and Gough Streets described as 04-SF-101-68 for the Chief Administrative Officer. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee.

File 064-95-001.

[Competitive Bidding]

Resolution urging the Mayor to urge Department Heads to competitively bid contracts for materials, supplies, equipment and services as required by Charter Section 7.200 and Administrative Code Section 21.6. Supervisor Alioto presented. Referred to Government Efficiency/Labor Committee.

File 172-95-005.

Referred to Board

[Emergency Custody, Juvenile Ward of The Court]

Resolution authorizing the Chief Probation Officer of the Juvenile Probation Department to enter into a contract with the California Youth Authority for emergency custody of a juvenile ward of the Court from the County of San Francisco; providing for ratification of action previously taken. Supervisor Kennedy presented. Referred to Board for Adoption Without Committee Reference Calendar February 27, 1995.

File 172-95-006.

[Central Freeway Expanded Task Force]

Resolution amending Resolution No. 1019-94, as amended, which amended the Citizens' Advisory Task Force for the Central Freeway, by increasing the membership of the Task Force from twenty-six members to thirty members, by adding four representatives from the community at-large. Supervisor Hallinan presented. Referred to Board for Adoption Without Committee Reference Calendar February 27, 1995.

File 174-95-002.

Referred to Committee

[Museum, City of San Francisco]

Resolution urging the Mayor to recognize the "Museum of the City of San Francisco" as the official historical museum of the City and County of San Francisco. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 197-95-004.

Referred to Board

[Davies Medical Center]

Resolution asking due attention and consideration of the important health care services provided by Davies Medical Center. Supervisors Ammiano, Shelley, Hallinan, Kaufman, Alioto, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar February 27, 1995.

File 218-95-001.

Requests for Hearings:

[Appointment, Chief Administrative Officer]

Communication requesting confirmation and approval by the Board of Supervisors on the appointment of Judge John Ertola to the position of Chief Administrative Officer, effective March 17, 1995. (Mayor) Referred to Rules Committee.

File 033-95-001.

[Budget, Department of Social Services, 1995-96]

Hearing to consider the Department of Social Services fiscal year 1995-96 budget and the potential impact on services. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee with request it be considered at the February 28, 1995 meeting.

File 100-95-004.

[Giants Replacement Workers]

Hearing to consider the contract and legal implications of the attempt by the Giants management to use replacement players at Candlestick Park. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee.

File 176-95-002.01.

[Pacific Bell Jobs Transfer to San Ramon]

Hearing to consider Pacific Bell's plans to transfer approximately 500 jobs to San Ramon. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee.

File 176-95-003.

[City Hall Retrofit Review]

Hearing to review the retrofit work on City Hall every four months. Supervisor Hsieh presented. Referred to Budget Committee.

File 186-95-003.

[San Francisco Museum]

Hearing to consider moving the Museum of the City of San Francisco from its present location at the Cannery to the third and fourth floors of the Veteran's Building after the offices of the Board of Supervisors and the Mayor have returned to City Hall. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 197-95-005.

[Tony Ray]

Hearing to consider the unsolved murder of Anthony "Tony" Ray who was killed in the Polk Gulch on March 24, 1994. Supervisor Migden presented. Referred to Health/Public Safety/Environment Committee.

File 207-95-004.

Motions

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Migden presented. Referred to Board for Adoption Without Committee Reference Calendar February 27, 1995.

File 030-95-001.03.

Referred to Committee

[Select Committee on Charter Reform Meetings]

Motion directing the Select Committee on Charter Reform hold a series of five public hearings outside City Hall on the proposed Charter revision. Supervisor Kaufman presented. Referred to Rules Committee.

File 054-95-005.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-95-006. [Veltman v. State Lands Commission, et al.] Ordinance authorizing settlement of litigation of Raymond Veltman against the City and County of San Francisco. (Los Angeles Superior Court No. BC 111 323). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 101-94-065. [Appropriation, CAO] Ordinance appropriating \$53,700, Chief Administrative Officer, from General Fund reserve for salaries and fringe benefits for fiscal year 1994-95; placing \$53,700 on reserve; (estimate of vested vacation and sick pay for the CAO). RO #94163 (Controller) Referred to Budget Committee.

File 101-94-066. [Appropriation, Dept. of Human Resources] Ordinance appropriating \$182,885, Department of Human Resources, from the General Fund reserve for salaries, fringe benefits and equipment to create three (3) positions to support the Workers' Compensation Program for fiscal year 1994-95; companion measure to File 102-94-11. RO 94164 (Controller) Referred to Budget Committee.

File 101-94-067. [Appropriation, Sheriff] Ordinance appropriating \$400,449, Sheriff, from the General Fund reserve for salaries, fringe benefits and equipment to create nine (9) positions for fiscal year 1994-95 (provide security at new Court locations and increase overtime). RO #94166 (Controller) Referred to Budget Committee.

File 101-94-068. [Appropriation, Airports] Ordinance appropriating \$26,000,000, Airports, from Airport Revenue Bond proceeds to Capital Improvement Projects to refund San Francisco Airport Improvement Corporation Bonds as part of the Airport's purchase of American Airline's Superbay Hangar for fiscal year 1994-95. RO #94180 (Controller) Referred to Budget Committee.

File 101-94-069. [Appropriation, Dept. of Public Health] Ordinance appropriating \$180,000, Department of Public Health, Mental Health Center, of Medi-Cal revenue and \$220,000 from the General Fund reserve to salaries, fringe benefits, professional and non-personal services, materials and supplies and services to continue services at the Center for special problems in fiscal year 1994-95; providing for ratification of action previously taken. RO #94181 (Controller) Referred to Budget Committee.

File 102-94-011. [Public Employment, DHR, Add Three Positions] Ordinance amending Ordinance No. 293-94 (Annual Salary Ordinance, 1994/95) reflecting the addition of three positions (Classification 1444 Secretary (1), 1652 Senior Accountant (1), and 1864 Sr. Systems & Procedures Analyst (1)) in the Department of Human Resources, Workers Compensation Division. (Department of Human Resources) Referred to Budget Committee.

Resolutions Referred to Committee

File 023-95-002. [Statute of Limitations, Francie Moeller v. CCSF] Resolution authorizing the City Attorney to agree to waive a Statute of Limitations through September 1, 1995, as part of the negotiations with various individuals and organizations regarding disability access at Candlestick Park (Francie Moeller, et al. v. CCSF, et al.), for incidents described in timely claims filed by these individuals and organizations. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 040-95-006. [Residential Parking Area "G", Pacific Heights] Resolution extending boundaries of Residential Permit Parking Area "G" in the Pacific Heights Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 048-95-004. [Settlement of Claim, Mei Lon Sam] Resolution authorizing settlement of claim of Mei Lon Sam by payment of \$18,168. (City Attorney) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisors Teng, Shelley, that letter of inquiry be sent to the Public Utilities Commission requesting information concerning the Water Department's pipeline replacement project in Chinatown (Grant Avenue) and transmitting a list of questions regarding scope, time frame and ramifications of the project and its impact to residents and merchants.



Monday, February 13, 1995

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

James Morrison (Supervisor Shelley)  
Rosie McCray (Supervisor Kennedy)  
Robert B. James (Supervisor Kennedy)  
Joseph Hollinger (Supervisor Migden)  
Jean Swallow (Supervisor Migden)  
Tom Marchioro (Supervisor Migden)  
Frances Lopez (Supervisor Leal)  
Irene Smith Mathers (Supervisor Leal)  
Ralph Martinez (Supervisor Leal)

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:09 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 10, 1995.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



Monday, February 27, 1995

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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Volume 90

Number 8



JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, February 27, 1995 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:04 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Kaufman, Leal, Migden, Shelley, Teng - 6.

Noted absent at first roll call:

Supervisors Alioto, Bierman, Hallinan, Hsieh, Kennedy - 5.

Quorum present.

Supervisor Alioto was noted present at 2:09 p.m.

Supervisor Bierman was noted present at 2:12 p.m.

Supervisor Hallinan excused. (See infra.)

Supervisor Hsieh excused. (See infra.)

Supervisor Kennedy excused. (See infra.)

Supervisors Hallinan, Hsieh, Kennedy Excused

The Clerk stated that Supervisors Hallinan, Hsieh and Kennedy requested to be excused from attending today's meeting.

Supervisor Leal, seconded by Supervisor Teng, moved to excuse Supervisors Hallinan, Hsieh and Kennedy.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Migden, Shelley, Teng - 6.

Absent: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kennedy - 5.

CONSENT CALENDAR

Recommendation of Housing and Land Use Committee

Finally Passed

[Permit, United Nations Plaza Farmers' Market]

Ordinance approving a temporary revocable permit for a farmers' market at United Nations Plaza for the period of March 1, 1995 through May 1, 1995 (to relocate their location on a temporary basis during construction work at United Nations Plaza). (Supervisor Shelley)

File 10-95-1, Ordinance No. 52-95

Finally passed.

Recommendation of Rules Committee

Finally Passed

[Redevelopment Commissioners]

Ordinance amending Administrative Code, to allow Redevelopment Agency Commissioners to participate in City Employee Health Service System provided Redevelopment Agency Commission approves such participation and agrees to pay all costs. (Supervisor Kaufman)

File 97-94-80, Ordinance No. 48-95

(Adds Section 16.701.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Migden, Shelley, Teng - 6.

Absent: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kennedy - 5.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Budget Committee

Finally Passed

[Appropriation, Department of Public Works]

Ordinance appropriating \$18,022,000, Department of Public Works, of 1990 Earthquake Safety Bond proceeds to Capital Improvement Projects (City Hall Seismic Upgrade and Zoo Design and Construction); placing a reserve of \$6,700,000, for fiscal year 1994-95. (Controller)

File 101-94-42, Ordinance No. 49-95

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Migden, Shelley, Teng - 6.

Absent: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kennedy - 5.

[Appropriation, Department of Public Health]

Ordinance appropriating \$3,669,818, Department of Public Health, Mental Health, and Medi-Care revenues to salaries, fringe benefits, telephones, medical services contracts and equipment for the creation and deletion of one (1) position for Mental Health Managed Care in fiscal year 1994-95, placing \$111,728 on reserve; providing for ratification of action previously taken. (Department of Public Health)

File 101-94-59, Ordinance No. 50-95

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Migden, Shelley, Teng - 6.

Absent: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kennedy - 5.

[Annual Salary Ordinance, Department of Public Health]

Ordinance amending Ordinance 293-94 (Annual Salary Ordinance, (1994/95) Department of Mental Health, Community Mental Health Services, reflecting the addition of one position (Classification 1819 MIS III) and deletion of Classification 1844 Sr. Management Assistant; companion measure to File 101-94-59. (Department of Human Resources)

File 102-94-10, Ordinance No. 51-95

Monday, February 27, 1995

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Migden, Shelley, Teng - 6.

Absent: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kennedy - 5.

Tabled

[Adult Probation Service Reimbursement Fee]

Ordinance amending Administrative Code, authorizing the Adult Probation Department to collect an administration fee in the amount of \$120.00 for the cost of services rendered in processing petitions. (Adult Probation Department)

File 97-94-78, Ordinance No.

(Adds Section 8.31-2.)

(February 6, 1995 - Consideration continued to February 27, 1995.)

Supervisor Ammiano, seconded by Supervisor Teng, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Ammiano, Migden, Shelley, Teng - 5.

Noes: Supervisors Kaufman, Leal - 2.

Absent: Supervisors Bierman, Hallinan, Hsieh, Kennedy - 4.

#### Recommendation of Government Efficiency and Labor Committee

Tabled

[Citywide Radio Communication System Master Agreement]

Resolution approving the form and authorizing the execution and approval of amended and restated Master Agreement between the City & County and Motorola Communications and Electronics, Inc; approving modifications to Master Agreement; granting general authority to City officials to take necessary actions in connection with the execution and approval of the Master Agreement; directing the General Manager to hire a consultant to review the project specifications; directing the General Manager to submit project documents for each phase of the project to the Clerk of the Board of Supervisors; and ratifying actions previously taken. (Supervisor Hallinan)

File 229-94-2.1, Resolution No.

(Fiscal Impact.)

(December 19, 1994 - Consideration continued to February 27, 1995.)

Supervisor Kaufman, seconded by Supervisor Alioto, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Hallinan, Hsieh, Kennedy - 3.

#### NEW BUSINESS

#### Recommendations of Budget Committee

Consideration Continued

[Waive Statute of Limitations, \$101]

Resolution waiving the statute of limitations with respect to payment of certain warrants of the City and County, the sum of \$101, a legal obligation of the City and County. (Controller)

File 23-95-1, Resolution No.

Supervisor Migden, seconded by Supervisor Leal, moved to continue consideration to March 6, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Hallinan, Hsieh, Kennedy - 3.

Adopted

[Acquisition of Property]

Resolution authorizing Purchase Agreement for acquisition of real property located in Bernal Heights and identified as Assessor's Block 5556, Lots 28, 29 and 30 for the realignment of Brewster Street at Esmeralda Avenue and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 84-95-1, Resolution No.139-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Hallinan, Hsieh, Kennedy - 3.

SPECIAL ORDER 3:00 P.M.

Consideration Continued

[Public hearing]

Hearing of persons interested in or objecting to appeal decision of City Planning Commission by its Motion No. 13790, dated December 15, 1994, approving Conditional Use Application No. 93.179C, for conditional use authorization to construct a 13-story mixed use Residential/Commercial Building, exceeding a height of forty feet, containing parking in excess of accessory amounts, large fast food restaurant and recognized as a Planned Unit Development with Planning Code exceptions for dwelling unit exposure, bulk limits, wind speed standards, and rear yard standards within an RC-4 (Residential, Commercial Combined, High Density), District, the Van Ness Avenue Special Use District, an NC-3 (Moderate Scale Neighborhood Commercial) District and 130V and E Height and Bulk Districts on property located at 600 Van Ness Avenue and Elm Street, 550 and 556 Golden Gate Avenue; Lots 6, 7, 8 and 9, in Assessor's Block 763.

File 37-95-1

(Appeal filed January 17, 1995.)

(February 13, 1995 - Consideration continued to February 27, 1995.)

Supervisor Bierman, seconded by Supervisor Leal, moved to continue consideration to March 13, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Hallinan, Hsieh, Kennedy - 3.

[Environmental Review, 600 Van Ness Avenue]

Motion certifying review of Final Negative Declaration relating to proposed conditional use of property at 600 Van Ness Avenue between Golden Gate Avenue and Elm Street, 550 and 556 Golden Gate Avenue.

File 37-95-1.4

(February 13, 1995 - Consideration continued to February 27, 1995.)

Supervisor Bierman, seconded by Supervisor Leal, moved to continue consideration to March 13, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Hallinan, Hsieh, Kennedy - 3.

(Only one of the following two motions should be adopted.)

[Zoning Appeal]

Motion approving decision of the City Planning Commission by its Motion No. 13790, approving Conditional Use Application No. 93.179C, on property located at 600 Van Ness Avenue between Golden Gate Avenue and Elm Street, 550 and 556 Golden Gate Avenue.

File 37-95-1.1

(February 13, 1995 - Consideration continued to February 27, 1995.)

Supervisor Bierman, seconded by Supervisor Leal, moved to continue consideration to March 13, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Hallinan, Hsieh, Kennedy - 3.

[Zoning Appeal]

Motion disapproving decision of the City Planning Commission by its Motion No. 13790, approving Conditional Use Application No. 93.179C, on property located at 600 Van Ness Avenue between Golden Gate Avenue and Elm Street, 550 Golden Gate Avenue and 556 Golden Gate Avenue, and adopting findings pursuant to City Planning Code Section 101.1.

File 37-95-1.2

(February 13, 1995 - Consideration continued to February 27, 1995.)

Supervisor Bierman, seconded by Supervisor Leal, moved to continue consideration to March 13, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Hallinan, Hsieh, Kennedy - 3.

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 93.179C on property located at 600 Van Ness Avenue between Golden Gate Avenue and Elm Street, 550 and 556 Golden Gate Avenue, for action by the Board at its next meeting.

File 37-95-1.3

(February 13, 1995 - Consideration continued to February 27, 1995.)

Supervisor Bierman, seconded by Supervisor Leal, moved to continue consideration to March 13, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Hallinan, Hsieh, Kennedy - 3.

COMMITTEE REPORTS

Recommendation of the Rules Committee

Adopted

[Select Committee on Charter Reform Meetings]

Motion directing the Select Committee on Charter Reform to hold public hearings outside City Hall.  
(Supervisor Kaufman)

File 54-95-5

The Clerk stated this item comes with recommendation of the Committee.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Hallinan, Hsieh, Kennedy - 3.



Recess

The Board, at the hour of 2:52 p.m.. took a brief recess.

Reconvening of the Board

The Board, at the hour of 3:01 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Kaufman, Leal, Migden, Shelley - 7.

Noted absent:

Supervisors Hallinan, Hsieh, Kennedy, Teng - 4.

Quorum present.

Supervisor Hallinan excused. (See supra.)

Supervisor Hsieh excused. (See supra.)

Supervisor Kennedy excused. (See supra.)

Supervisor Teng noted present at 3:05 p.m.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Floyd Brown, Municipal Railway service;  
Joe, Food Not Bombs.

The President inquired if there was anyone else present who wished to address the Board.

There being no response, the President declared the Public Comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Contract, Custody of Female Juveniles]

Resolution amending Resolution No. 577-94 for a new contract for the 1994-95 contract year between the City and County of San Francisco Juvenile Department and the County of Santa Clara, Santa Clara County Probation Ranches, to provide for the placement of female juveniles. (Supervisor Kennedy)

File 172-94-20.01, Resolution No. 132-95

(February 13, 1995 - Introduced in Board for consideration on February 27, 1995.)

Adopted.

[Commend Nina Davis]

Resolution commending Nina Davis for her heroic efforts to save the lives of her three children. (Supervisors Kennedy, Alioto, Shelley)

File 6-95-19, Resolution No. 135-95

(February 13, 1995 - Introduced in Board for consideration on February 27, 1995.)

Adopted.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[AIDS Funding]

Resolution urging the United States Congress to support the President's fiscal year 1996 AIDS Budget requests. (Supervisors Alioto, Ammiano)

File 13-95-3, Resolution No. 136-95

(February 13, 1995 - Introduced in Board for consideration on February 27, 1995.)

Adopted.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[CARE Act Reauthorization]

Resolution urging the United States Congress to support the expedited reauthorization of the Ryan White Comprehensive Aids Relief Expansion (CARE) Act. (Supervisors Alioto, Ammiano, Shelley)

File 13-95-4, Resolution No. 137-95

(February 13, 1995 - Introduced in Board for consideration on February 27, 1995.)

Adopted.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[Emergency Custody, Juvenile Ward of The Court]

Resolution authorizing the Chief Probation Officer of the Juvenile Probation Department to enter into a contract with the California Youth Authority for emergency custody of a juvenile ward of the Court from the County of San Francisco; providing for ratification of action previously taken. (Supervisor Kennedy)

File 172-95-6, Resolution No. 141-95

(February 13, 1995 - Introduced in Board for consideration on February 27, 1995.)

Adopted.

[Central Freeway Expanded Task Force]

Resolution amending Resolution No. 1019-94, as amended, which amended the Citizens' Advisory Task Force for the Central Freeway, by increasing the membership of the Task Force from twenty-six members to thirty members, by adding four representatives from the community at-large. (Supervisor Hallinan)

File 174-95-2, Resolution No. 140-95

(February 13, 1995 - Introduced in Board for consideration on February 27, 1995.)

Adopted.

[Davies Medical Center]

Resolution asking due attention and consideration of the important health care services provided by Davies Medical Center. (Supervisors Ammiano, Shelley, Hallinan, Kaufman, Alioto, Teng, Leal, Migden, Bierman, Kennedy, Hsieh)

File 218-95-1, Resolution No. 131-95

(February 13, 1995 - Introduced in Board for consideration on February 27, 1995.)

Adopted.

In connection with the above item, Supervisors Leal, Migden, Bierman, Kennedy, Hsieh requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Migden)

File 30-95-1.03

(February 13, 1995 - Introduced in Board for consideration on February 27, 1995.)

Adopted.

[Final Map, Carolina Street and 1900 20th Street]

Motion approving final map of 666A, 666, 668, 670, 672 Carolina Street and 1900 20th Street, a Condominium Project, being a resubdivision of Lot 12 in Assessor's Block 4071, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-95-3

(February 13, 1995 - Introduced in Board for consideration on February 27, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Hallinan, Hsieh, Kennedy - 3.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-8, Resolution No. 142-95

The Clerk presented the following recommendations of his Honor, the Mayor: Susan Leal, member, Board of Supervisors, March 13; Terence Hallinan, member, Board of Supervisors, February 26 - 28; Carole Migden, member, Board of Supervisors, March 3 - 5; Anne Halsted, member, Port Commission, February 17 - 25; Larry Mazzola, member, Airports Commission, February 18 - March 6, 1995.

["Ask Isadora"]

Resolution calling attention to the observance of the Tenth Anniversary of "Ask Isadora", Isadora Allman's advice column in the San Francisco Bay Guardian on March 1, 1995. (Supervisor Ammiano)

File 6-95-20, Resolution No. 143-95

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote.

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Hallinan, Hsieh, Kennedy - 3.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board find by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Kaufman, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Hallinan, Hsieh, Kennedy - 3.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Leal, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Hallinan, Hsieh, Kennedy - 3.

Adopted

[Commend Marie McKechnie]

Resolution commending Marie McKechnie, Deputy Clerk of the San Francisco Board of Supervisors for her heroic and enormous help to the Supervisors and their staff in their historic move from City Hall, February 17 - 21, 1995.

File 006-95-022, Resolution No. 144-95

Supervisors Bierman, Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Hallinan, Hsieh, Kennedy - 3.

[Commend Rudolf Nothenberg]

Resolution commending and honoring Rudolf Nothenberg for his distinguished service to the City and County of San Francisco.

File 006-95-023, Resolution No. 130-95

Supervisors Shelley, Kaufman, Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Teng presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Hallinan, Hsieh, Kennedy - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Vehicle Renter Tax Repeal]

Ordinance amending Part III, Municipal Code, by deleting Article 19, to repeal the Vehicle Renter Tax in its entirety. Supervisor Kaufman presented. Referred to Budget Committee.

File 127-95-001.

Referred to Board

[Commend Woman Vision Productions]

Resolution commending Woman Vision Productions for their Academy Award nomination for best "Short Documentary Film" for "Straight from the Heart" and for their efforts to combat homophobia and foster an environment where Americans will be more understanding and supportive about the lives of lesbians and gays. Supervisor Migden presented. Referred to Board for Adoption Without Committee Reference Calendar March 6, 1995.

File 006-95-021.

[North Beach Parking Garage]

Resolution acknowledging the agreement not to demolish the North Beach Parking Garage and urging the Parking and Traffic Commission to consider North Beach and Chinatown merchant and resident concerns during any temporary closure. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar March 6, 1995.

File 047-95-006.01.

Referred to Committee

[Federal Funds, Loan Guarantee]

Resolution authorizing the Mayor to apply for, accept and expend a loan of Section 108 Loan Guarantee Funds in a total amount not to exceed Five Million Three Hundred Thousand Dollars (\$5,300,000) from the U.S. Department of Housing and Development to be used to subsidize the redevelopment of severely distressed public housing located in the Western Addition on two sites known as Hayes Valley Public Housing North and South; indirect costs will be paid by Community Development Block Grant funds. Supervisor Shelley presented. Referred to Budget Committee with request it be considered at the March 1, 1995 meeting.

File 068-95-003.

[Parking Enforcement on Sundays]

Resolution urging the Mayor to preserve the Sunday parking reprieve in San Francisco. Supervisors Leal, Shelley presented. Referred to Budget Committee.

File 190-95-001.

Referred to Board

[Youth Programs Inventory]

Resolution requesting that the Delinquency Prevention Commission issue a report by May 15, 1995 on available youth programs geared towards workplace readiness and/or youth crime prevention, as well as draft an inventory of what youth programs San Francisco businesses currently contribute to and where there exist program gaps. Supervisor Migden presented. Referred to Board for Adoption Without Committee Reference Calendar March 6, 1995.

File 219-95-001.

[Hunters Point Environmental Impact]

Resolution endorsing the selection of a proposed draft plan as the preferred alternative for the purposes of initiating environmental analysis for the redevelopment of the Hunters Point Naval Shipyard. Supervisor Shelley presented. Referred to Board March 6, 1995, Special Order at 6:00 p.m., sitting as a Committee of the Whole.

File 244-95-001.

Requests for Hearings:

[PG&E Franchise Fee Agreement Audit]

Hearing to consider the audit of the PG&E Franchise Fee Agreement recently conducted by the Controller's Office. Supervisor Alioto presented. Referred to Select Committee on Municipal Public Power with request it be considered at the March 2, 1995 meeting.

File 285-94-002.03.

[Municipal Railway Repairs]

Hearing to consider the Municipal Railway repairs and procedures. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 007-95-002.

[Funds, Federal HOPE VI]

Hearing to consider the status of the San Francisco Housing Authority's application for \$50 million in HOPE VI funding from the United States Department of Housing and Urban Development, with a particular focus on the plans to relocate residents of Bernal Dwellings and Plaza East sites. Supervisors Ammiano, Alioto, Teng presented. Referred to Government Efficiency/Labor Committee.

File 206-95-001.

Referred to Board

[Bayview Community]

Hearing to consider the quality of life in the Bayview community and to address issues including the status of the economic development of Third Street, the Third Street Corridor Study, environmental health, public safety and other issues of concern to the Bayview neighborhood. Supervisor Shelley presented. Referred to Board March 6, 1995, Special Order at 6:00 p.m. sitting as a Committee of the Whole.

File 220-95-001.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 027-95-002. [Lease Renewals, Federal Aviation Administration] Ordinance approving three FAA leases for certain spaces on the airfield at San Francisco International Airport between the United States of America and the City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 046-95-003. [Settlement of Litigation, Virginia N. Davies] Ordinance authorizing settlement of litigation of City and County of San Francisco against Virginia N. Davies by accepting consideration in the total amount of \$6,000 payable in cash and releasing said person only from further liability. (S.F. Municipal Court No. 112311) (Treasurer-Tax Collector) Referred to Government Efficiency/Labor Committee.

File 101-94-070. [Appropriation, Department of Public Health] Ordinance appropriating \$207,103, Department of Public Health-Mental Health, from the General Fund Reserve for medical service contracts to continue substance abuse programs in fiscal year 1994-95; providing for ratification of action previously taken. taken. RO #94186 (Controller) Referred to Budget Committee.

File 170-95-003. [Lease Revenue Bonds, Series 1995A] Ordinance providing for the approval and execution and delivery by officers of the City and County of San Francisco of an Equipment Lease Supplement No. 4 between the City and County of San Francisco Finance Corporation as lessor, and the City and County of San Francisco as lessee, with respect to equipment to be used for City purposes and the related certificate of approval; providing for reimbursement to the City of certain City expenditures prior to the issuance of Lease Revenue Bonds and approving the issuance of Lease Revenue Bonds by said nonprofit corporation; and providing that said bonds shall be subject to the certification of the Controller of the City and County of San Francisco prior to the sale of said bonds; and providing for the execution of documents in connection therewith and ratifying previous actions taken in connection therewith. (Chief Administrative Officer) Referred to Budget Committee.

Resolutions Referred to Committee

File 023-95-003. [Statute of Limitations, Claudia Oates] Resolution waiving the statute of limitations with respect to payment of certain warrants of the City and County of San Francisco, in the sum of \$546.91 a legal obligation of the City and County of San Francisco. (Payee, Claudia Oates) (Controller) Referred to Government Efficiency/Labor Committee.

File 027-95-003. [Airport Lease-American Airlines, Inc.] Resolution approving the early relinquishment of Lease No. PUC 69-0798 as amended by PUC 70-0467 and Airports Commission Resolution No. 92-0005 for Plot 40, and approving a new lease for use of a portion of Plot 40 and hangar facilities thereon, between American Airlines, Inc. and the City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 027-95-004. [North Terminal Bookstore Lease] Ordinance approving the "North Terminal Bookstore Lease" between Books, Inc. and the City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 027-95-005. [Finding, Airports Rates and Charges] Resolution making a finding that the revised schedule of rates and charges for outdoor aircraft storage established by the Airports Commission will be sufficient to pay for maintenance and operation expenses of the Airport and will not require any tax subsidy; companion measure to File 27-95-5.1. (Airports Commission) Referred to Budget Committee.



File 027-95-005.01. [Airports Rates and Charges] Resolution approving changes to the schedule of rates and charges for common use facilities at San Francisco International Airport as established by Airports Commission; companion measure to File 27-95-5. (Airports Commission) Referred to Budget Committee.

File 068-94-015.01. [Addendum One, 1995 Emergency Shelter Grants] Resolution approving an amendment to the 1995 Shelter Grants Program, authorizing the Mayor, on behalf of the City and County of San Francisco, to apply, receive, and expend \$250,750 in additional entitlement funds; approving Addendum No. 1 to the expenditure schedule for recipient agencies, and determining that no environmental evaluation is required. (Mayor's Office of Community Development) Referred to Budget Committee.

File 073-95-001. [Embarcadero-Lower Market Redevelopment Project] Resolution urging the Redevelopment Agency of the City and County of San Francisco to take steps necessary to amend the Embarcadero-Lower Market (Golden Gateway) Redevelopment Project Plan to (1) expand the project area boundaries to include properties formerly occupied by the Embarcadero Freeway System and (2) expand the activities of the Redevelopment project to facilitate the development of Block 203 and portions of Block 202 and improvement of the mid-Embarcadero open space and in a timely fashion. (Chief Administrative Officer) Referred to Housing and Land Use Committee.

File 146-95-003. [Preventive Health Care for the Aging Program] Resolution authorizing the Department of Public Health, Community Public Health Services, to apply retroactively for a grant of \$55,500 from the California Department of Health Services for preventive health services to San Francisco residents over age 60 who have limited access to care; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 172-95-007. [Medical Services Contract] Resolution authorizing the Director of Public Health to execute an agreement, including indemnification, with the University of California, San Francisco, for the provision of medical services to Medi-Cal beneficiaries by Community Public Health Services clinic physicians. (Also see File 97-94-76.) (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 172-95-008. [Vocational Rehabilitation Services Agreement] Resolution authorizing the Department of Public Health, Community Substance Abuse Services, to enter into a cooperative agreement with the State of California, Department of Rehabilitation retroactive to July 1, 1994 in the amount of \$44,642, to provide vocational rehabilitation services to residents of San Francisco who are currently receiving or require substance abuse treatment services; authorizing and directing the President of the Board to sign said agreement which shall include an indemnification of the State of California. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Ammiano, that letter of inquiry be sent to Irwin Memorial Blood Center concerning their policy decision not to continue its blood credit system for blood transfusions.

By Supervisor Migden, that City Attorney prepare appropriate legislation which would authorize the Director of Parking and Traffic to adjust the rates for parking garages for special events or when unusual circumstances justify increased or reduced rates and there is not sufficient time to obtain approval of the Board of Supervisors.

By Supervisor Migden, that letter of inquiry be sent to Director, Mayor's Office of Children, Youth and Families to determine what programs currently exist through the Mayor's office that are geared toward providing youth, ages 12-18, with educational, vocational and post high school workplace readiness training and what programs are administered by the Mayor's office that deal with helping lift youth out of a cycle of violence, gang activity and drug and alcohol use.

#### Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Josephine Smith (Supervisor Kennedy)  
Calvin M. Lowery (Supervisors Migden, Hallinan, Ammiano)  
Marion Orrick (Supervisors Migden, Leal)  
Louis Herman (Supervisor Migden)  
Newell Hamilton (Supervisor Migden)  
Nina Davis (By the entire Board)  
Bill Kong (Supervisor Leal)  
Helen Boutin (Supervisor Ammiano)  
Matthew Irwin Perry (Supervisor Hallinan)



Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:08 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 17, 1995

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



Monday, March 6, 1995

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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Number 9



JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

\_\_\_\_\_  
Monday, March 6, 1995 - 5:00 p.m.  
\_\_\_\_\_

The Board of Supervisors of the City and County of San Francisco met in special session on the above date at the Southeast Community Facility, with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 5:14 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Noted absent at first roll call:

Supervisors Bierman, Hsieh - 2.

Quorum present.

Supervisor Hsieh excused. (See infra.)

Supervisor Bierman was noted present at 5:17 p.m.

Supervisor Hsieh Excused

The Clerk stated that Supervisor Hsieh requested to be excused from attending today's meeting.

Supervisor Kaufman, seconded by Supervisor Leal, moved to excuse Supervisor Hsieh.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Bierman, Hsieh - 2.

CONSENT CALENDAR

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Settlement of Litigation, Marilyn Moore]

Ordinance authorizing settlement of litigation of Marilyn Moore against the City and County by payment of \$10,000. (City Attorney)

File 45-95-1, Ordinance No.

(Superior Court No. 952-666.)

Passed for second reading.

[Settlement of Litigation, U.S.A. (Davis)]

Ordinance authorizing partial settlement of litigation of U.S.A. (Davis) v. City and County, by payment of \$865,105.80. (City Attorney)

File 45-95-2, Ordinance No.

(United States District Court, Northern District of California, Consolidated Cases Nos. C84-1100 MHP, C84-7089 MHP.)

Passed for second reading.

[Settlement of Litigation, L. Murdock, SFPD]

Ordinance authorizing settlement of litigation of Robert C. Coffey against Larry Murdock, et al, by payment of \$10,000. (City Attorney)

File 45-95-3, Ordinance No.

(Santa Clara County Municipal Court Case 247-340.)

Passed for second reading.

[Settlement of Litigation, Edward Casanova]

Ordinance authorizing settlement of litigation of Edward Casanova against the City and County by payment of \$10,000. (City Attorney)

File 45-95-4, Ordinance No.

(Superior Court No. 952-434)

Passed for second reading.

[Settlement of Litigation, Cindy Siu Lam Tang]

Ordinance authorizing settlement of litigation of Cindy Siu Lam Tang against the City and County by payment of \$5,555.50. (City Attorney)

File 45-95-5, Ordinance No.

(Municipal Court No. 100-166.)

Passed for second reading.

[Veltman v. State Lands Commission, et al.]

Ordinance authorizing settlement of litigation of Raymond Veltman against the City and County. (City Attorney)

File 45-95-6, Ordinance No.

(Los Angeles Superior Court No. BC 111 323.)

Passed for second reading.

[Settlement of Litigation, CCSF v. Health Services]

Ordinance authorizing settlement of litigation of City and County of San Francisco against State Department of Health Services, Case Nos. 952-820, 956-288, and 959-728 for approval of Medi-Cal reimbursement claims. (City Attorney)

File 46-95-2, Ordinance No.

(Superior Court Nos. 952-820, 956-228 and 959-728.)

Passed for second reading.

Adopted

[Unlitigated Claim, Dr. Eugene Sun]

Resolution approving the settlement of the unlitigated claim of Dr. Eugene Sun by payment of \$15,000. (City Attorney)

File 48-94-4.1, Resolution No. 145-95

Adopted.

[Settlement of Claims, Geico Insurance Company]

Resolution approving the settlement of the unlitigated claim of Geico Insurance Co. by payment of \$11,038.83. (City Attorney)

File 48-95-1, Resolution No. 157-95

Adopted.

[Settlement of Claim, James R. Roy]

Resolution approving settlement of the unlitigated claim of James R. Roy by payment of \$12,500. (City Attorney)

File 48-95-2, Resolution No. 158-95

Adopted.

[Settlement of Claim, Peter Gentile]

Resolution approving settlement of the unlitigated claim of Peter Gentile by payment of \$18,000 plus interest and attorney's fees of \$10,000 plus interest. (City Attorney)

File 48-95-3, Resolution No. 159-95

Adopted.

[Settlement of Claim, Mei Lon Sam]

Resolution authorizing settlement of claim of Mei Lon Sam by payment of \$18,168. (City Attorney)

File 48-95-4, Resolution No. 160-95

Adopted.

[Contract Award Extension, Water Dept. WD-2173]

Resolution granting extension of time for award for Water Department Contract WD-2173, Harry W. Tracy Water Treatment Plant - Slope Stabilization. (Public Utilities Commission)

File 61-95-1, Resolution No. 161-95

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

#### REGULAR CALENDAR

#### UNFINISHED BUSINESS

#### Recommendations of Budget Committee

Adopted

[Waive Statute of Limitations, \$101]

Resolution waiving the statute of limitations with respect to payment of certain warrants of the City and County, the sum of \$101, a legal obligation of the City and County. (Controller)

File 23-95-1, Resolution No. 150-95

(February 27, 1995 - Consideration continued to March 6, 1995.)

Adopted by the following vote:



Monday, March 6, 1995

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, District Attorney]

Ordinance appropriating \$200,000, from the General Fund Reserve for salaries, fringe benefits and training to address underfunding in the District Attorney's Office for fiscal year 1994-95; providing for ratification of action previously taken; subject of previous budgetary denial. (Supervisor Alioto)

File 101-94-33.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Appropriation, Dept. of Parking and Traffic]

Ordinance appropriating \$120,000, Department of Parking and Traffic, of Parking Revenue Funds, to a Capital Improvement Project (soil remediation at St. Mary's Square Garage), for fiscal year 1994-95. (Controller)

File 101-94-60, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Appropriation, Board of Supervisors]

Ordinance appropriating \$25,000, Board of Supervisors, from the General Reserve Fund to an Election Task Force Project, for fiscal year 1994-95 (Implement Proposition L.) (Controller)

File 101-94-62, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Appropriation, Board of Supervisors]

Ordinance appropriating \$100,000, Board of Supervisors, from the General Fund Reserve for services of City Attorney's Office to provide support while developing Charter Reform for fiscal year 1994-95; providing for ratification of action previously taken. (Controller)

File 101-94-63, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Appropriation, Chief Administrative Officer]

Ordinance appropriating \$46,089, Chief Administrative Officer, from General Fund Reserve for salaries and fringe benefits for fiscal year 1994-95; placing \$46,089 on reserve; (estimate of vested vacation and sick pay for the Chief Administrative Officer). (Controller)

File 101-94-65, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Appropriation, Airports]

Ordinance appropriating \$26,000,000, Airports, from Airport Revenue Bond proceeds to Capital Improvement Projects to refund San Francisco Airport Improvement Corporation Bonds as part of the Airport's purchase of American Airline's Superbay Hanger for fiscal year 1994-95. (Controller)

File 101-94-68, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Appropriation, Department of Public Health]

Ordinance appropriating \$158,382, Department of Public Health, Mental Health Center, of Medi-Cal revenue and \$193,577 from the General Fund Reserve to salaries, fringe benefits, professional and non-personal services, materials and supplies and services of other departments to continue services at the Center for Special Problems in fiscal year 1994-95; providing for ratification of action previously taken. (Supervisor Bierman)

File 101-94-69, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Franchise Application Fee]

Ordinance amending Administrative Code, to require franchise applicants to pay a fee to defray the City's costs of evaluating the application. (Supervisor Bierman)

File 97-94-77, Ordinance No.

(Adds Section 11.75.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

Adopted

[Loan Guarantee - Federal Funds]

Resolution authorizing the Mayor to apply for, accept and expend a loan of Section 108 Loan Guarantee Funds in a total amount not to exceed five million three hundred thousand dollars (\$5,300,000) from the U.S. Department of Housing and Urban Development to be used to subsidize the redevelopment of severely distressed public housing located in the Western Addition on two sites known as Hayes Valley Public Housing North and South; indirect costs will be paid by Community Development Block Grant Funds. (Supervisors Shelley, Bierman, Kaufman, Kennedy, Alioto, Hallinan, Teng)

File 68-95-3, Resolution No. 138-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisors Kennedy, Alioto, Hallinan, Teng requested to be added as co-sponsors.

[Children's Services Plan, 1995-1996]

Resolution approving the Children's Services Plan (CSP) for the San Francisco Children's Fund in accordance with Charter Section 6.415. (Supervisors Shelley, Alioto, Kennedy, Bierman, Teng, Ammiano, Leal, Migden)

File 185-95-1, Resolution No. 172-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisors Kennedy, Bierman, Teng, Ammiano, Leal, Migden requested to be added as co-sponsors.

Recommendations of Government Efficiency and Labor Committee

Adopted

[Memorandum of Understanding, Local 21]

Resolution ratifying amendment to Memorandum of Understanding between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO, and the City and County. (Supervisors Kaufman, Alioto)

File 93-94-12.2, Resolution No. 146-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

Passed for Second Reading

[Compensation, Local 21]

Ordinance amending Ordinance No. 231-94 implementing the fiscal provisions of the Memorandum of Understanding between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO, and the City and County. (Supervisors Kaufman, Alioto)

File 93-94-12.3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Lease, American Airlines, Inc.]

Ordinance approving the early relinquishment of Lease No. PUC 69-0798, as amended by PUC 70-0467 and Airports Commission Resolution No. 92-0005 for Plot 40 and approving a new lease for use of a portion of Plot 40 and hangar facilities, between American Airlines, Inc. and the City and County, acting by and through its Airports Commission. (Supervisor Hallinan)

File 27-95-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Lease Agreement, Port and H&N Fish Company]

Ordinance approving lease agreement between H&N Fish Company and the City and County for ten years operating by and through the Port Commission for fish processing and handling at Pier 45, foot of Jefferson Street. (Port)

File 65-95-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Disposal of Material of Historical Significance]

Ordinance amending Administrative Code, to revise procedure for disposition of material of historical significance prior to destruction. (Supervisors Bierman, Alioto)

File 97-95-2, Ordinance No.

(Amends Section 8.7.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

#### Consideration Continued

[Campaign Finance Reform]

Ordinance amending Administrative Code, relating to campaign finance reform. (Supervisor Hallinan, Alioto, Ammiano, Bierman)

File 97-95-3, Ordinance No.

(Amends Sections 16.501, 16.502, 16.503, 16.505, 16.508, 16.509 and 16. 515; Adds Sections 16.510-1 through 16.510-6.)

Supervisor Kaufman, seconded by Supervisor Migden, moved to continue consideration to March 20, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Bierman, Kaufman, Kennedy, Leal, Migden, Shelley - 6.

Noes: Supervisors Alioto, Ammiano, Hallinan, Teng - 4.

Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisors Alioto, Ammiano, Bierman requested to be added as co-sponsors.

#### Passed for Second Reading

[Cable Car Medals]

Ordinance amending Administrative Code, to authorize the Chief Administrative Officer and the Purchaser of Supplies to sell cable car medals. (Supervisors Leal, Alioto)

File 97-95-6, Ordinance No.

(Amends Section 8.12-2.1.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

Adopted

[Statute of Limitations, Francie Moeller v. CCSF]  
Resolution authorizing the City Attorney to agree to waive a Statute of Limitations defense through September 1, 1995, as part of the negotiations with various individuals and organizations regarding disability access at Candlestick Park (Francie Moeller, et al. v. CCSF, et al.), for incidents described in timely claims filed by these individuals and organizations. (City Attorney)

File 23-95-2, Resolution No. 151-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Licensure, Chemical Awareness & Treatment Services]  
Resolution recommending the licensure of Chemical Awareness and Treatment Services, Inc. to provide 30-month multiple offense/driving under the influence, chemical dependency and poly-drug abuse treatment services in the City and County. (Supervisor Alioto)

File 30-95-3, Resolution No. 152-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[St. Mary's Square Garage Contract Amendment]  
Resolution approving a first amendment to the St. Mary's Square Garage Management Contract. (Department of Parking and Traffic)

File 47-95-1, Resolution No. 153-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Vallejo Street Garage Contract Amendment]  
Resolution approving a first amendment to the Vallejo Street Garage Management Contract. (Department of Parking and Traffic)

File 47-95-3, Resolution No. 154-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Polk-Bush Garage Contract Amendment]  
Resolution approving a first amendment to the Polk-Bush Garage Management Contract. (Department of Parking and Traffic)

File 47-95-4, Resolution No. 155-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Lease, Turk/Gough Streets Parking Lot, CA0]

Resolution authorizing a parking lot lease located in the vicinity of Turk and Gough Streets described as 04-SF-101-68 for the Chief Administrative Officer. (Supervisor Hallinan)

File 64-95-1, Resolution No. 162-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Federal Grant, Regional Homeless Continuum Care]

Resolution authorizing the Mayor to apply for and receive a regional homeless continuum of care grant in a total amount not to exceed Seven Million Dollars (\$7,000,000) from the U.S. Department of Housing and Urban Development for a regional homeless plan authorized under Section 2(C) of the HUD Demonstration Act of 1993; providing for ratification of action previously taken. (Supervisor Leal)

File 68-95-1, Resolution No. 163-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Health Service System Contributions]

Resolution establishing the contribution to be made to the Health Service System by City and County, Unified School District and Community College District for fiscal year 1995-96. (Health Service System)

File 78-95-1, Resolution No. 164-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Federal/State Grants, Emergency Command Center]

Resolution authorizing the Chief Administrative Officer to apply for and accept grants from various Federal and State agencies for the Combined Emergency Command Center. (Chief Administrative Officer)

File 133-95-1, Resolution No. 165-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[State Grant, Earthquake Hazard Mitigation]

Resolution authorizing the Chief Administrative Officer, as local hazard mitigation coordinator or his

designee, the Director of Public Works, to apply for, accept and expend Hazardous Mitigation Grant Funds from California's Earthquake Safety and Public Buildings Rehabilitation Bond Act of 1990 in the amount of \$4,480,511 with a commitment of local City and County match of funds in the minimum amount of twenty-five percent for each project (total minimum of \$1,493,504 for the six projects) and waiving indirect costs; rescinding Resolution No. 793-93; placing \$3,960,807 on reserve. (Chief Administrative Officer)

File 133-95-2, Resolution No. 166-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Grant, Hospice Ward Furnishings, Laguna Honda]  
Resolution authorizing the Department of Public Health, Laguna Honda Hospital and Rehabilitation Center, to apply for and accept a grant of a maximum of \$6,000 from Levi Strauss Foundation to provide indoor furnishings for the newly expanded hospice on Ward C-2; ratifying application previously made; and waiving indirect costs. (Supervisor Leal)

File 146-95-1, Resolution No. 167-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Contract, DPH-Richmond Area Multi-Services, Inc.]  
Resolution approving the contract between the Department of Public Health, and Richmond Area Multi-Services, Inc. (RAMS), to provide partial hospitalization program services, retroactive to February 1, 1995. (Supervisor Alioto)

File 172-95-1, Resolution No. 168-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[State Mental Health Performance Contract]  
Resolution approving the San Francisco City and County Performance Contract for Mental Health Services in fiscal year 1994-95. (Supervisor Alioto)

File 172-95-2, Resolution No. 169-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Targeted Case Management Contract Amendment]  
Resolution authorizing the Director of Public Health to execute an amended contract with the State Department of Health Services in the amount of \$27,317,189 for the period of July 1, 1992 through June 30, 1994 for Medi-Cal Administrative Claiming allowable for Federal financial participation, including a provision indemnifying the State from any Federal disallowance, including interest charges. (Department of Public Health)

File 172-95-3, Resolution No. 170-95

Adopted by the following vote:



Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Tolling Agreement, Escobar Litigation]

Resolution authorizing City Attorney to enter into an agreement with the County of Sonoma to toll the statute of limitations on any cross-complaints that either the City and County of San Francisco or the County of Sonoma may have in litigation brought against them both by Elia Escobar and Irma Vargas. (City Attorney)

File 172-95-4, Resolution No. 171-95

(Superior Court No. 963-623)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

Recommendation of Health, Public Safety and Environment Committee

Adopted

[Museum, City of San Francisco]

Resolution urging the Mayor to recognize the "Museum of the City of San Francisco" as the official historical museum of the City and County of San Francisco. (Supervisors Alioto, Ammiano, Shelley)

File 197-95-4, Resolution No. 173-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

From Rules Committee "Without Recommendation"

Consideration Continued

[Appointment, Chief Administrative Officer]

Resolution confirming and approving appointment of John Ertola as Chief Administrative Officer. (Rules Committee)

File 33-95-1, Resolution No.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair so the President could participate from the floor.

At the request of the Mayor, Supervisor Shelley, seconded by Supervisor Alioto, moved to continue consideration to March 27, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Kaufman, Kennedy, Leal, Shelley, Teng - 7.

Noes: Supervisors Ammiano, Bierman, Migden - 3.

Absent: Supervisor Hsieh - 1.

The President resumed the Chair.

SPECIAL ORDER - 6:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Hearing Held

[Bayview Community]

Hearing to consider the quality of life in the Bayview community and to address issues including the status of the economic development of Third Street, the Third Street Corridor Study, environmental health, public safety and other issues of concern to the Bayview neighborhood. (Supervisor Shelley)

File 220-95-1

The following persons were granted privilege of the floor:

Mr. Pritchard; Charlie Walker; Willie Ratcliff; John Cribbs; Al Norman; George Davis; Sam Murray; Henry; Gary Beringer; Joseph Smith; Espanoza Jackson; Linda Richardson; James Richard; Claude Wilson; Male speaker; Will Rogers; Imogene; Francine Carter; Leboria Moore; Mary Englander; John Hines; Muhammad al-Kareem; Yolanda Washington; Reverend Wilbur Carter; Female speaker; Male speaker; Male speaker; Ethel Vanderfault; Larry; Ray Tompkins; Darryl Butler; David; Shirley Jordan; Nolan Webb; Female speaker; Jose; Wendy Romankoff; Margaret Verges; Male speaker; Carol Tatum; Anthony Bryant; Darryl Bishop, Dr. Davis; Louise Vaughn; Jill Mendoza; Leboria Moore; Ethel Garlington; Cheryl Towns; Sam Murray; Mr. Williams.

SPECIAL ORDER - 6:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

[Public Hearing]

Hearing of persons interested in or objecting to a proposed draft plan as the preferred alternative for the purposes of initiating environmental analysis for the redevelopment of the Hunters Point Naval Shipyard. (Supervisor Shelley)

File 244-95-1

After a brief presentation from the Redevelopment Agency, the privileged of the floor was granted to the following persons:

Leon Dubo; female speaker; Mary Englander; James Monrow; Essie Webb; Mark; female speaker; female speaker; Oscar James; Sam Murray; Woodrow James; Anthony Travis; Jacquie Taliaferro; Louise Vaughn; Mr. Davis; Sandra Brown; Gregory Vincent; Ernestine Howard; Farah Too; Gregory Williams; Lisa Verico.

Committee of the Whole Rise and Report Without Recommendation

Adopted

[Hunters Point Environmental Impact]

Resolution endorsing the selection of a proposed draft plan as the preferred alternative for the purposes of initiating environmental analysis for the redevelopment of the Hunters Point Naval Shipyard. (Supervisor Shelley)

File 244-95-1, Resolution No. 175-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

COMMITTEE REPORTS

Recommendation of Select Committee on Municipal Public Power

Consideration Continued

[Public power Report]

Ordinance amending Administrative Code to require the Public Utilities Commission to prepare and transmit to the Board of Supervisors not later than June 30, 1996, a report regarding the feasibility of municipalizing of the electricity utilities distribution system in San Francisco. (Supervisors Alioto, Bierman)

File 97-95-4, Ordinance No.

(Adds Section 11.08.)

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair so the President could participate in the debate from the floor.

Supervisor Alioto, seconded by Supervisor Kennedy, moved to continue consideration to March 13, 1995.

After a brief period of discussion, Supervisor Alioto, seconded by Supervisor Bierman, moved substitute motion to continue consideration to March 20, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Teng - 2.

The President resumed the Chair.

Presentation Made

The Bay View Opera House Children's Choir appeared and sang "How Do You Recognize a Child of God" and a dance number was performed by its dancers.

Recess

The Board, at the hour of 7:47 p.m., took a brief recess.

Reconvening of the Board

The Board, at the hour of 8:01 p.m., reconvened.

PUBLIC COMMENT

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the Public Comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Commend Woman Vision Productions]

Resolution commending Woman Vision Productions for their Academy Award nomination for best "Short Documentary Film" for "Straight from the Heart" and for their efforts to combat homophobia and foster an environment where Americans will be more understanding and supportive about the lives of lesbians and gays. (Supervisors Migden, Leal, Kaufman, Bierman)

File 6-95-21, Resolution No. 148-95

(February 27, 1995 - Introduced in Board for consideration on March 6, 1995.)

Adopted.

In connection with the above item, Supervisors Leal, Kaufman, Bierman requested to added as co-sponsors.

[North Beach Parking Garage]

Resolution acknowledging the agreement not to demolish the North Beach Parking Garage and urging the Parking and Traffic Commission to consider North Beach and Chinatown merchant and resident concerns during any temporary closure. (Supervisors Alioto, Shelley)

File 47-95-6.1, Resolution No. 156-95

(February 27, 1995 - Introduced in Board for consideration on March 6, 1995.)

Adopted.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[Youth Programs Inventory]

Resolution requesting that the Delinquency Prevention Commission issue a report by May 15, 1995 on available youth programs geared towards workplace readiness and/or youth crime prevention, as well as draft an inventory of what youth programs San Francisco businesses currently contribute to and where there exist program gaps. (Supervisors Migden, Bierman, Kaufman)

File 219-95-1, Resolution No. 174-95

(February 27, 1995 - Introduced in Board for consideration on March 6, 1995.)

Adopted.

In connection with the above item, Supervisors Bierman, Kaufman requested to be added as co-sponsors.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hallinan, Hsieh - 2.

IMMEDIATE ADOPTION CALENDAR

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-9, Resolution No. 133-95

Adopted.

(Barbara Kaufman, member, Board of Supervisors, March 9 - 13; Susan Leal, member, Board of Supervisors, March 10 - 15; Frank O'Neill, member, Port Commission, March 3 - 9; Louise H. Renne, City Attorney, March 5 - 10, 1995.)

[Proclaim Great Hunger Memorial Week]

Resolution declaring the week of March 12 through March 19, 1995, the Great Hunger Memorial Week. (Supervisor Hallinan)

File 4-95-1, Resolution No. 134-95

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hallinan, Hsieh - 2.

Monday, March 6, 1995

OFF-CALENDAR LEGISLATION  
ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Settlement of Litigation, Nicole Abagnaro]

Ordinance authorizing settlement of litigation of Nicole Abagnaro against the City and County by payment of \$225,000. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee with request it be considered at the March 14, 1995 meeting.

File 045-95-009.

[Rent Control, Newly-Created Units]

Ordinance amending Administrative Code Section 37.6 to prohibit the rent board from issuing rules that treat newly-created units differently than other units subject to rent control in determining whether rent increases are justified. Supervisor Bierman presented. Referred to Housing and Land Use Committee.

File 109-95-003.

Called from Committee;  
Referred to Board

[State Legislation, ACA 2, Affirmative Action]

Resolution opposing California Assembly Constitutional Amendment 2 (ACA 2) which would prohibit the State or any of its political subdivisions from using race, sex, color, ethnicity, or national origin as a criterion for granting preferential treatment to any individual or group in the operation of the State's system of public employment, public education or public contracting; urging San Francisco's State Legislative Representatives to oppose the passage of ACA 2. Called from Economic Vitality and Social Policy Committee by Supervisor Teng; scheduled for Board consideration March 13, 1995.

File 012-95-002.

Referred to Board

[State Legislation, ACA 2, Affirmative Action]

Resolution urging the Mayor to join the members of the San Francisco Board of Supervisors in supporting affirmative action programs and oppose the enactment of ACA 2, AB 211 and the Civil Rights Initiative currently being proposed for the ballot in 1996. Supervisors Kennedy, Teng, Alioto, Bierman, Leal presented. Referred to Board for Adoption Without Committee Reference Calendar March 13, 1995.

File 012-95-002.01.

[State Legislation, Domestic Partners Registry]

Resolution supporting the domestic partners registry bill introduced in the California State Assembly. Supervisors Migden, Leal, Ammiano, Kaufman, Bierman, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar March 13, 1995.

File 012-95-004.

[Family Planning Clinics]

Resolution supporting the California State Senate resolution to denounce the increased violence against health care providers and family planning clinics. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar March 13, 1995.

File 012-95-005.

[State Legislation, AB 1529, Marijuana]

Resolution supporting Assembly Bill 1529 concerning the possession and use of marijuana for medicinal purposes. Supervisors Alioto, Bierman, Ammiano, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar March 13, 1995.

File 012-95-006.

Referred to Committee

[Gift Acceptance]

Resolution accepting and acknowledging a gift of \$36,455.17 provided to the City and County by Lucille and George Jewett, Jr., for the maintenance of Lyon Street Park during calendar year 1994 and thanking

Monday, March 6, 1995

Lucille and George Jewett, Jr. for their generous and beneficial gift. Supervisor Kaufman presented. Referred to Budget Committee.

File 038-95-001.

Referred to Board

[Funds, Redevelopment Agency]

Resolution endorsing the applications by the Redevelopment Agency to the U.S. Department of Commerce, Economic Development Administration and the United State Environmental Protection Administration for the purposes of military base conversion projects. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar March 13, 1995.

File 161-95-002.

[Task Force on Prostitution, Extend]

Resolution extending the life of the Task Force on Prostitution by one month to April 17, 1995; amending the legislation establishing the Task Force on Prostitution and mandating its membership by adding six members representing neighborhoods affected by prostitution and deleting reference to six members representing six specific neighborhood groups. Supervisor Hallinan presented. Referred to Board for Adoption Without Committee Reference Calendar March 13, 1995.

File 174-95-003.

Referred to Committee

[Planned Parenthood]

Resolution urging the management of Planned Parenthood to conclude negotiations for a first contract with the Service Employees International Union, Local 790A; supporting the Planned Parenthood employees' desire for an agency shop similar to provisions covering other employees in Alameda and San Francisco counties; reminding Planned Parenthood management of the negative impacts on our communities should a strike occur; resolving that members of the San Francisco Board of Supervisors may, in the event of a strike, be required to explore reallocation of government funds to other agencies providing services similar to that of Planned Parenthood. Supervisors Hallinan, Bierman presented. Referred to Government Efficiency/Labor Committee with request it be considered at the March 14, 1995 meeting.

File 176-95-004.

Referred to Board

[State Legislation]

Resolution supporting the "Dignity For All Students" assembly bill that adds sexual orientation as a protected class in sections of the Education Code that protects students from discrimination. Supervisors Migden, Leal, Ammiano, Alioto, Bierman, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar March 13, 1995.

File 211-95-002.

Referred to Committee

[Motherlode Bar Relocation]

Resolution determining that relocation of the Motherlode Bar from 1002 Post Street to 1035 Post Street will serve the convenience and necessity of the people of the City and County, in accordance with Business and Professions Code. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee with request it be considered at the March 14, 1995 meeting.

File 223-95-001.

#### Requests for Hearings:

[Federal AIDS Funding]

Hearing to consider the status of Federal AIDS funding sources of the City and County and the impact potential cuts in funding will have on services to people with HIV and AIDS. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 013-95-003.01.



[Mental Health Services]

Hearing to consider recommendations of the San Francisco Mental Health Board to improve mental health services in the City and County. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 030-95-004.

[Outdoor Display/Sale of Canned/Bottled Products]

Hearing to consider authorizing the outdoor display and sale of canned and bottled products in addition to, or in the place of, produce, taking into consideration State health codes and any reasonable restrictions. Supervisor Migden presented. Referred to Housing and Land Use Committee.

File 123-95-001.

[Audit, Whistleblower Program]

Hearing to consider an audit on the City's whistleblower program and law, for compliance with reporting requirements to Board, publicizing the whistleblower contact and handling of complaints from 1992 to present. Supervisor Ammiano presented. Referred to Rules Committee.

File 165-95-003.

[Billboards]

Hearing to consider the impact of the installation of "Jumbotron" billboard on the east side of Union Street. Supervisors Alioto, Bierman presented. Referred to Health/Public Safety/Environment Committee.

File 189-95-001.

[Mission Bay Development Agreement]

Hearing to consider changes to the Mission Bay Development Agreement regarding the toxic clean-up program. Supervisor Bierman presented. Referred to Housing and Land Use Committee with request it be considered at the April 6, 1995 meeting.

File 225-95-001.

[Youth Guidance Center]

Hearing to consider the status of services at the Youth Guidance Center. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee with request it be considered at the March 14, 1995 meeting.

File 226-95-001.

[Internet E-Mail]

Hearing to consider the feasibility of obtaining internet e-mail for City Hall offices. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 227-95-001.

Motions

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Migden presented. Referred to Board for Adoption Without Committee Reference Calendar March 13, 1995.

File 030-95-001.04.

Referred to Committee

[Charter Reform Meetings Outside City Hall]

Motion directing the Select Committee on Charter Reform to hold three additional public hearings outside City Hall. Supervisor Kaufman presented. Referred to Rules Committee.

File 054-95-005.01.

Referred to Board

[Extend Time for Negotiations]

Motion extending the time for negotiations pursuant to San Francisco Charter Section 3.100-2, relating to miscellaneous employees. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar March 13, 1995.



File 106-95-001.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 036-95-001.01. [Zoning Map Amendment, 2430 Chestnut St.] Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco property located at 2430 Chestnut Street, Lot 12, Assessor's Block 930 from an RH-3 District to an NC-2 Neighborhood Commercial District and adopting findings pursuant to City Planning Code Section 101.1; companion measure to File 36-95-1. (City Planning Department) Referred to Housing and Land Use Committee.

File 045-95-007. [Settlement of Litigation, Ralph Owens] Ordinance authorizing settlement of litigation of Ralph Owens against the City and County of San Francisco by payment of \$11,000. (Superior Court No. 956-098.) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-95-008. [Settlement of Litigation, Mark Estrada] Ordinance authorizing settlement of litigation of Mark Estrada against the City and County of San Francisco by payment of \$19,000. (Superior Court No. 947-989.) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 101-94-071. [Appropriation, Airport] Ordinance appropriating \$277,618, Airport, of Airport Operating Funds, to salaries and fringe benefits for the creation of thirty three (33) positions and the deletion of one (1) position to implement the Master Plan and related Mitigation Program for fiscal year 1994-95; companion measure to File 102-94-12. RO #94184 (Controller) Referred to Budget Committee.

File 103-95-001. [Salary Ordinance, Staff Nurses] Ordinance adjusting and fixing schedules of compensation, effective July 1, 1994, to be paid under the provisions of Charter Section 8.403 to employees occupying classifications: 2320 Registered Nurse, 2323 Clinical Nurse Specialist, 2330 Anesthetist, 2340 Operating Room Nurse, 2830 Public Health Nurse, 2328 Nurse Practitioner and P103 Special Nurse; continuing by reference the incorporation of a Memorandum of Understanding between the City and County of San Francisco and SEIU Local 790 (Staff Nurses) which established conditions and benefits of employment other than wages for said classifications. (Also see File 93-95-1) (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

Resolutions Referred to Committee

File 036-95-001. [Final Negative Declaration, 2430 Chestnut St.] Resolution adopting Final Negative Declaration, finding, and determining the reclassification of Lot 12 in Assessor's Block 930 from the existing RH-3 (Residential, Three Units) Zoning District to an NC-2 (Neighborhood Commercial, Small Scale) Zoning District for the property located at 2430 Chestnut Street, will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration; companion measure to File 36-95-1.1. (Department of City Planning) Referred to Housing and Land Use Committee.

File 093-95-001. [MOU, Staff and Per Diem Nurses] Resolution ratifying Memorandum of Understanding with SEIU Local 790 for Staff and Per Diem Nurses for the time period of May 1, 1994 through April 30, 1996. (Also see File 103-95-1) (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 172-95-009. [Joint Powers Agreement, San Mateo County] Resolution approving Joint Powers Agreement with San Mateo County to perform environmental study for the San Francisco Water Department's Lower Crystal Springs Dam Abutment Protection Project and San Mateo County's Bridge Replacement Project. (Public Utilities Commission) Referred to Government Efficiency/Labor Committee.

File 172-95-010. [Hold Harmless Agreement, Port - BCDIC] Resolution authorizing the Port of San Francisco to hold the Bay Conservation and Development Commission harmless for claims arising for temporary improvements on the Embarcadero Roadway for construction of the Muni Metro Turnback. (Port) Referred to Government Efficiency/Labor Committee.

File 172-95-011. [Supplemental Indenture, Sutter/Post Apartments] Resolution approving the form of, and authorizing the execution of a Supplemental Indenture; and authorizing other actions related thereto. (Mayor's Office of Housing) Referred to Budget Committee.

File 192-95-002. [Grant, Hazard Elimination Safety Program] Resolution authorizing the Executive Director of the Department of Parking and Traffic to apply for, accept and expend up to \$1,315,000 in Federal funds for the installation of raised pavement markers at various locations; for the street light upgrade at Dewey Circle; for the installation of impact attenuators at Geary and Webster Streets; for the lowering of Evans Avenue east of Mendell Street; for the widening of Fulton Street between Arguello Boulevard and Stanyan Street; and for the grooving of the pavement on portions of O'Shaughnessy, Sunset and Laguna Honda Boulevards, foregoing reimbursement of indirect costs. (Department of Parking and Traffic) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Ammiano, that City Attorney prepare ordinance requiring the development of an anti-discrimination action plan by the City and County that would mandate the development and implementation of strategies for addressing illegal forms of discrimination, accessibility issues and discriminatory values and attitudes and requiring the participation of all city departments.

By Supervisor Bierman, that City Attorney prepare ordinance to impose interim controls concerning advertising signage, roof signs and signs attached to buildings at Union Square.

By Supervisor Hallinan, that letter of inquiry be sent to District Attorney to determine its long-term intentions regarding the utilization of condom evidence in prostitution cases, now that the six month trial period for non-utilization of said evidence has expired and requesting a response by March 15, 1995.

By Supervisor Migden, that letter be sent to the State Energy Commission requesting that information and findings on the potential health risks of the proposed co-generator plant planned for the Bayview, including all information on its policy and public health implications be provided to members of the Board of Supervisors.

By Supervisor Migden, that City Attorney prepare ordinance which would authorize the outdoor display and sale of canned and bottled products in addition to, or in the place of, produce, taking into consideration State health codes and any reasonable restrictions.  
File 123-95-1.

By Supervisor Shelley, that City Attorney prepare ordinance which would establish a Public Authority to provide for the delivery of In-Home Supportive Services (IHSS) and to review a resolution that would establish the policy that governs relations between the new Public Authority and its employees. The primary functions of the Public Authority would be to operate a central registry to link up IHSS clients with providers, be the employer of record of independent providers for the purpose of collective bargaining and govern and oversee delivery of IHSS services at the county level.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Ruth Williams (Supervisor Shelley)  
Michael Youngblood (By the entire Board)  
William Bailey (Supervisors Hallinan, Bierman, Shelley)  
Nancy Klapp-Baron (Supervisor Bierman)  
Joseph Park Li (Supervisor Bierman)  
Marilyn Abend (Supervisors Bierman, Kaufman)  
Rita Minahan (Supervisor Bierman)  
Randal Bitterman (Supervisor Leal)

File 2-95-9

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 10:57 p.m. adjourned.

John L. Taylor, Clerk

Monday, March 6, 1995

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 17, 1995

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

Monday, March 13, 1995

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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Volume 90

Number 10



JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, March 13, 1995 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:05 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Hallinan, Migden, Shelley, Teng - 6.

Noted absent at first roll call:

Supervisors Bierman, Hsieh, Kaufman, Kennedy, Leal - 5.

Quorum present.

Supervisor Bierman excused, on official leave of absence.

Supervisor Hsieh excused, on official leave of absence.

Supervisor Kaufman excused, on official leave of absence.

Supervisor Kennedy was noted present at 2:07 p.m.

Supervisor Leal excused, on official leave of absence.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Ammiano, seconded by Supervisor Hallinan, moved that the Journal of Proceedings for Monday, January 23, 1995, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kennedy, Migden, Shelley, Teng - 7.

Absent: Supervisors Bierman, Hsieh, Kaufman, Leal - 4.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Dept. of Parking and Traffic]

Ordinance appropriating \$120,000, Department of Parking and Traffic, of Parking Revenue Funds, to a Capital Improvement Project (soil remediation at St. Mary's Square Garage), for fiscal year 1994-95. (Controller)

File 101-94-60, Ordinance No. 56-95

(Fiscal Impact.)

Finally passed.

[Appropriation, Board of Supervisors]

Ordinance appropriating \$25,000, Board of Supervisors, from the General Reserve Fund to an Election Task Force Project, for fiscal year 1994-95 (Implement Proposition L.) (Controller)

File 101-94-62, Ordinance No. 57-95

(Fiscal Impact.)

Finally passed.

[Appropriation, Board of Supervisors]

Ordinance appropriating \$100,000, Board of Supervisors, from the General Fund Reserve for services of City Attorney's Office to provide support while developing Charter Reform for fiscal year 1994-95; providing for ratification of action previously taken. (Controller)

File 101-94-63, Ordinance No. 58-95

(Fiscal Impact.)

Finally passed.

[Appropriation, Chief Administrative Officer]

Ordinance appropriating \$46,089, Chief Administrative Officer, from General Fund Reserve for salaries and fringe benefits for fiscal year 1994-95; placing \$46,089 on reserve; (estimate of vested vacation and sick pay for the Chief Administrative Officer). (Controller)

File 101-94-65, Ordinance No. 59-95

Finally passed.

[Appropriation, Airports]

Ordinance appropriating \$26,000,000, Airports, from Airport Revenue Bond proceeds to Capital Improvement Projects to refund San Francisco Airport Improvement Corporation Bonds as part of the Airport's purchase of American Airline's Superbay Hanger for fiscal year 1994-95. (Controller)

File 101-94-68, Ordinance No. 60-95

Finally passed.

[Appropriation, Department of Public Health]

Ordinance appropriating \$158,382, Department of Public Health, Mental Health Center, of Medi-Cal revenue and \$193,577 from the General Fund Reserve to salaries, fringe benefits, professional and non-personal services, materials and supplies and services of other departments to continue services at the Center for Special Problems in fiscal year 1994-95; providing for ratification of action previously taken. (Supervisor Bierman)

File 101-94-69, Ordinance No. 61-95

Finally passed.

[Franchise Application Fee]

Ordinance amending Administrative Code, to require franchise applicants to pay a fee to defray the City's costs of evaluating the application. (Supervisor Bierman)

File 97-94-77, Ordinance No. 55-95

(Adds Section 11.75.)

Finally passed.

Passed for Second Reading

[Appropriation, Department of Public Health]

Ordinance appropriating \$207,103, Department of Public Health, Mental Health, from the General Fund Reserve for medical service contracts to continue substance abuse programs in fiscal year 1994-95; providing for ratification of action previously taken. (Supervisors Alioto, Bierman)

File 101-94-70, Ordinance No.



Passed for second reading.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Compensation, Local 21]

Ordinance amending Ordinance No. 231-94 implementing the fiscal provisions of the Memorandum of Understanding between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO, and the City and County. (Supervisors Kaufman, Alioto)

File 93-94-12.3, Ordinance No. 54-95

Finally passed.

[Lease, American Airlines, Inc.]

Ordinance approving the early relinquishment of Lease No. PUC 69-0798, as amended by PUC 70-0467 and Airports Commission Resolution No. 92-0005 for Plot 40 and approving a new lease for use of a portion of Plot 40 and hangar facilities, between American Airlines, Inc. and the City and County, acting by and through its Airports Commission. (Supervisor Hallinan)

File 27-95-1, Ordinance No. 62-95

Finally passed.

[Settlement of Litigation, Marilyn Moore]

Ordinance authorizing settlement of litigation of Marilyn Moore against the City and County by payment of \$10,000. (City Attorney)

File 45-95-1, Ordinance No. 63-95

(Superior Court No. 952-666.)

Finally passed.

[Settlement of Litigation, U.S.A. (Davis)]

Ordinance authorizing partial settlement of litigation of U.S.A. (Davis) v. City and County, by payment of \$865,105.80. (City Attorney)

File 45-95-2, Ordinance No. 68-95

(United States District Court, Northern District of California, Consolidated Cases Nos. C84-1100 MHP, C84-7089 MHP.)

Finally passed.

[Settlement of Litigation, L. Murdock, SFPD]

Ordinance authorizing settlement of litigation of Robert C. Coffey against Larry Murdock, et al, by payment of \$10,000. (City Attorney)

File 45-95-3, Ordinance No. 64-95

(Santa Clara County Municipal Court Case 247-340.)

Finally passed.

[Settlement of Litigation, Edward Casanova]

Ordinance authorizing settlement of litigation of Edward Casanova against the City and County by payment of \$10,000. (City Attorney)

File 45-95-4, Ordinance No. 65-95

(Superior Court No. 952-434)

Finally passed.

[Settlement of Litigation, Cindy Siu Lam Tang]

Ordinance authorizing settlement of litigation of Cindy Siu Lam Tang against the City and County by payment of \$5,555.50. (City Attorney)

File 45-95-5, Ordinance No. 66-95

(Municipal Court No. 100-166.)

Finally passed.

[Veltman v. State Lands Commission, et al.]

Ordinance authorizing settlement of litigation of Raymond Veltman against the City and County. (City Attorney)

File 45-95-6, Ordinance No. 67-95

(Los Angeles Superior Court No. BC 111 323.)

Finally passed.

[Settlement of Litigation, CCSF v. Health Services]

Ordinance authorizing settlement of litigation of City and County of San Francisco against State Department of Health Services, Case Nos. 952-820, 956-288, and 959-728 for approval of Medi-Cal reimbursement claims. (City Attorney)

File 46-95-2, Ordinance No. 68-95

(Superior Court Nos. 952-820, 956-228 and 959-728.)

Finally passed.

[Lease Agreement, Port and H&N Fish Company]

Ordinance approving lease agreement between H&N Fish Company and the City and County for ten years operating by and through the Port Commission for fish processing and handling at Pier 45, foot of Jefferson Street. (Port)

File 65-95-1, Ordinance No. 69-95

Finally passed.

[Disposal of Material of Historical Significance]

Ordinance amending Administrative Code, to revise procedure for disposition of material of historical significance prior to destruction. (Supervisors Bierman, Alioto)

File 97-95-2, Ordinance No. 70-95

(Amends Section 8.7.)

Finally passed.

[Cable Car Medals]

Ordinance amending Administrative Code, to authorize the Chief Administrative Officer and the Purchaser of Supplies to sell cable car medals. (Supervisors Leal, Alioto)

File 97-95-6, Ordinance No. 71-95

(Amends Section 8.12-2.1.)

Finally passed.

Recommendation of Economic Vitality and Social Policy Committee

Adopted

[Stop Intersection, Fillmore and O'Farrell Streets]  
Resolution designating Fillmore and O'Farrell Streets as an all-way stop. (Supervisor Kennedy)

File 18-94-18, Resolution No. 178-95

(Stop Signs - Establish  
Fillmore and O'Farrell Streets, southeast and northwest corners, stopping Fillmore Street traffic, making this an all-way stop.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kennedy, Migden, Shelley, Teng - 7.

Absent: Supervisors Bierman, Hsieh, Kaufman, Leal - 4.

#### REGULAR CALENDAR

#### UNFINISHED BUSINESS

#### Recommendation of Budget Committee

Consideration Continued

[Appropriation, District Attorney]  
Ordinance appropriating \$200,000, from the General Fund Reserve for salaries, fringe benefits and training to address underfunding in the District Attorney's Office for fiscal year 1994-95; providing for ratification of action previously taken; subject of previous budgetary denial. (Supervisor Alioto)

File 101-94-33.1, Ordinance No.

Supervisor Teng, seconded by Supervisor Hallinan, moved to continue consideration to March 20, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kennedy, Migden, Shelley, Teng - 7.

Absent: Supervisors Bierman, Hsieh, Kaufman, Leal - 4.

#### NEW BUSINESS

#### Recommendations of Budget Committee

Passed for second reading

[Appropriation, Police Department]  
Ordinance appropriating \$1,921,844, Police Department, from the General Fund Reserve, for salaries, fringe benefits, other non-personal services, materials and supplies and services of other departments, and rescinding \$200,000 from Court overtime to increase staffing for fiscal year 1994-95. (Supervisor Alioto)

File 101-94-58, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kennedy, Migden, Shelley, Teng - 7.

Absent: Supervisors Bierman, Hsieh, Kaufman, Leal - 4.

Consideration Continued

[Appropriation, Department of Human Resources]  
Ordinance appropriating \$166,730, Department of Human Resources, from the General Fund reserve for salaries, fringe benefits and equipment to create three (3) positions to support the Workers' Compensation Program for fiscal year 1994-95. (Controller)

File 101-94-66, Ordinance No.

Supervisor Migden, seconded by Supervisor Alioto, moved to continue consideration to March 20, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Migden, Shelley, Teng - 6.

Noes: Supervisor Kennedy - 1.

Absent: Supervisors Bierman, Hsieh, Kaufman, Leal - 4.

[Public Employment, Department of Human Resources]

Ordinance amending Ordinance No. 293-94 (Annual Salary Ordinance 1994/95) Department of Human Resources, Workers' Compensation Division, reflecting the addition of three positions; companion measure to File 101-94-66. (Department of Human Resources)

File 102-94-11, Ordinance No.

Supervisor Ammiano, seconded by Supervisor Alioto, moved to continue consideration to March 20, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Migden, Shelley, Teng - 6.

Noes: Supervisor Kennedy - 1.

Absent: Supervisors Bierman, Hsieh, Kaufman, Leal - 4.

Passed for second reading

[Appropriation, Sheriff]

Ordinance appropriating \$339,741, Sheriff, from the General Fund Reserve for salaries, fringe benefits and equipment to create six (6) positions for fiscal year 1994-95 (provide security at new court location and increase overtime). (Supervisor Alioto)

File 101-94-67, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kennedy, Migden, Shelley, Teng - 7.

Absent: Supervisors Bierman, Hsieh, Kaufman, Leal - 4.

[Public Employment, Sheriff]

Ordinance amending Ordinance No. 293-94 (Annual Salary Ordinance, 1994-95 Sheriff's Department, reflecting the addition of six (6) positions; companion measure to File 101-94-67. (Supervisor Alioto)

File 102-94-9, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kennedy, Migden, Shelley, Teng - 7.

Absent: Supervisors Bierman, Hsieh, Kaufman, Leal - 4.

[Lease Revenue Bonds, Series 1995A]

Ordinance providing for the approval and execution and delivery by officers of the City and County of San Francisco of an Equipment Lease Supplement No. 4 between the City and County of San Francisco Finance Corporation as lessor, and the City and County of San Francisco as lessee, with respect to equipment to be used for City purposes and the related certificate of approval; providing for reimbursement to the City of certain City expenditures prior to the issuance of Lease Revenue Bonds and approving the issuance of Lease Revenue Bonds by said nonprofit corporation; and providing that said bonds shall be subject to the certification of the Controller of the City and County of San Francisco prior to the sale of said bonds; and providing for the execution of documents in connection therewith and ratifying previous actions taken in connection therewith. (Chief Administrative Officer)

File 170-95-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kennedy, Migden, Shelley, Teng - 7.

Absent: Supervisors Bierman, Hsieh, Kaufman, Leal - 4.

Adopted

[Addendum One, 1995 Emergency Shelter Grants]

Resolution approving an amendment to the 1995 Emergency Shelter Grants Program, authorizing the Mayor, on behalf of the City and County of San Francisco, to apply, receive, and expend \$250,750 in additional entitlement funds; approving Addendum No. 1 to the expenditure schedule for recipient agencies, and determining that no environmental evaluation is required. (Supervisor Alioto)

File 68-94-15.1, Resolution No. 179-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kennedy, Migden, Shelley, Teng - 7.

Absent: Supervisors Bierman, Hsieh, Kaufman, Leal - 4.

[Findings, Airport Rates and Charges]

Resolution making a finding that the revised schedule of rates and charges for outdoor aircraft storage established by the Airports Commission will be sufficient to pay for maintenance and operation expenses of the Airport and will not require any tax subsidy. (Airports Commission)

File 27-95-5, Resolution No. 189-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kennedy, Migden, Shelley, Teng - 7.

Absent: Supervisors Bierman, Hsieh, Kaufman, Leal - 4.

[Airport Rates and Charges]

Resolution approving changes to the schedule of rates and charges for common use facilities at San Francisco International Airport as established by Airports Commission; companion measure to File 27-95-5. (Airports Commission)

File 27-95-5.1, Resolution No. 190-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kennedy, Migden, Shelley, Teng - 7.

Absent: Supervisors Bierman, Hsieh, Kaufman, Leal - 4.

Recommendations of Rules Committee

Adopted

[Appointment]

Resolution appointing member to the Video Display Terminal Advisory Committee, for new three-year term ending November 14, 1996; making findings waiving residency requirements. (Rules Committee)

File 92-93-57, Resolution No. 177-95

(August Colenbrander, M.D., Scientific/SF Chamber of Commerce, Seat No. 25702, vice himself, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kennedy, Migden, Shelley, Teng - 7.

Absent: Supervisors Bierman, Hsieh, Kaufman, Leal - 4.

[Appointments, Telecommunications Policy Committee]

Resolution appointing members to the Telecommunications Policy Committee, terms expired, for new two-year terms ending February 1, 1997. (Rules Committee)

File 92-95-8, Resolution No. 191-95

(Susan Levitin, Viacom, Seat No. 21601, vice herself;  
George E. McBride, Educational Community, Seat No. 21602, vice himself;  
Owen Seitel, Public At Large, Seat No. 21603, vice himself;  
Zane G. Blaney, Public At Large, Seat No. 21604, vice himself.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kennedy, Migden, Shelley, Teng - 7.

Absent: Supervisors Bierman, Hsieh, Kaufman, Leal - 4.

From Rules Committee with Recommendation "Do Pass"

Adopted

Findings - Street Fair Police Fee Waiver]

Motion reversing the decision of ISCOTT and granting the waiver of the police fees owed to the City and County by the sponsor of the Haight Street Fair (1993 and 1994) in an amount totaling \$5,000. (Supervisors Hallinan, Bierman)

File 42-94-5.5

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kennedy, Migden, Shelley, Teng - 7.

Absent: Supervisors Bierman, Hsieh, Kaufman, Leal - 4.

SPECIAL ORDER 3:00 P.M.

Consideration Continued

[Public hearing]

Hearing of persons interested in or objecting to appeal decision of City Planning Commission by its Motion No. 13790, dated December 15, 1994, approving Conditional Use Application No. 93.179C, for conditional use authorization to construct a 13-story mixed use Residential/Commercial Building, exceeding a height of forty feet, containing parking in excess of accessory amounts, large fast food restaurant and recognized as a Planned Unit Development with Planning Code exceptions for dwelling unit exposure, bulk limits, wind speed standards, and rear yard standards within an RC-4 (Residential, Commercial Combined, High Density), District, the Van Ness Avenue Special Use District, an NC-3 (Moderate-Scale Neighborhood Commercial) District and 130V and E Height and Bulk Districts on property located at 600 Van Ness Avenue and Elm Street, 550 and 556 Golden Gate Avenue; Lots 6, 7, 8 and 9, in Assessor's Block 763.

File 37-95-1

(Appeal filed January 17, 1995.)

(February 27, 1995 - Consideration continued to March 13, 1995.)

The Clerk stated that communication has been received from both parties requesting that this matter be continued to next week and that the hearing be held even if Supervisor Hsieh cannot attend.

Supervisor Hallinan, seconded by Supervisor Kennedy, moved to continue consideration to March 20, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kennedy, Migden, Shelley, Teng - 7.

Absent: Supervisors Bierman, Hsieh, Kaufman, Leal - 4.

[Environmental Review, 600 Van Ness Avenue]

Motion certifying review of Final Negative Declaration relating to proposed conditional use of property at 600 Van Ness Avenue between Golden Gate Avenue and Elm Street, 550 and 556 Golden Gate Avenue.

File 37-95-1.4

(February 27, 1995 - Consideration continued to March 13, 1995.)

Supervisor Hallinan, seconded by Supervisor Kennedy, moved to continue consideration to March 20, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kennedy, Migden, Shelley, Teng - 7.

Absent: Supervisors Bierman, Hsieh, Kaufman, Leal - 4.

(Only one of the following two motions should be adopted.)

[Zoning Appeal]

Motion approving decision of the City Planning Commission by its Motion No. 13790, approving Conditional Use Application No. 93.179C, on property located at 600 Van Ness Avenue between Golden Gate Avenue and Elm Street, 550 and 556 Golden Gate Avenue.

File 37-95-1.1

(February 27, 1995 - Consideration continued to March 13, 1995.)

Supervisor Hallinan, seconded by Supervisor Kennedy, moved to continue consideration to March 20, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kennedy, Migden, Shelley, Teng - 7.

Absent: Supervisors Bierman, Hsieh, Kaufman, Leal - 4.

[Zoning Appeal]

Motion disapproving decision of the City Planning Commission by its Motion No. 13790, approving Conditional Use Application No. 93.179C, on property located at 600 Van Ness Avenue between Golden Gate Avenue and Elm Street, 550 Golden Gate Avenue and 556 Golden Gate Avenue, and adopting findings pursuant to City Planning Code Section 101.1.

File 37-95-1.2

(February 27, 1995 - Consideration continued to March 13, 1995.)

Supervisor Hallinan, seconded by Supervisor Kennedy, moved to continue consideration to March 20, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kennedy, Migden, Shelley, Teng - 7.

Absent: Supervisors Bierman, Hsieh, Kaufman, Leal - 4.

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 93.179C on property located at 600 Van Ness Avenue between Golden Gate Avenue and Elm Street, 550 and 556 Golden Gate Avenue, for action by the Board at its next meeting.

File 37-95-1.3

(February 27, 1995 - Consideration continued to March 13, 1995.)

Supervisor Hallinan, seconded by Supervisor Kennedy, moved to continue consideration to March 20, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kennedy, Migden, Shelley, Teng - 7.

Absent: Supervisors Bierman, Hsieh, Kaufman, Leal - 4.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Dehnert Queen, desert protection act, BART to airport;  
Leboria Moore, herbal plant, son's incarceration;



Male speaker, water conservation;  
Garr Tavai-Fiatoa, Geneva Towers evictions.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

Called from Economic Vitality and Social Policy Committee  
by Supervisor Teng

Adopted

[State Legislation, ACA 2, Affirmative Action]  
Resolution opposing California Assembly Constitutional Amendment 2 (ACA 2) which would prohibit the State or any of its political subdivisions from using race, sex, color, ethnicity, or national origin as a criterion for granting preferential treatment to any individual or group in the operation of the State's system of public employment, public education or public contracting; urging San Francisco's State Legislative Representatives to oppose the passage of ACA 2. (Supervisors Teng, Shelley, Alioto, Kennedy, Ammiano, Migden, Hallinan)

File 12-95-2, Resolution No. 182-95

Adopted by the following vote:

Ayes: Supervisors Ammiano, Hallinan, Kennedy, Migden, Shelley, Teng - 6.

Absent: Supervisors Alioto, Bierman, Hsieh, Kaufman, Leal - 5.

In connection with the above item, Supervisors Kennedy, Ammiano, Migden, Hallinan requested to be added as co-sponsors.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[State Legislation, ACA 2, Affirmative Action]  
Resolution urging the Mayor to join the members of the San Francisco Board of Supervisors in supporting affirmative action programs and oppose the enactment of ACA 2, AB 211 and the Civil Rights Initiative currently being proposed for the ballot in 1996. (Supervisors Kennedy, Teng, Alioto, Bierman, Leal)

File 012-95-002.01, Resolution No. 183-95

(March 6, 1995 - Introduced in Board for consideration on March 13, 1995.)

Adopted.

[State Legislation, Domestic Partners Registry]  
Resolution supporting the domestic partners registry bill introduced in the California State Assembly. (Supervisors Migden, Leal, Ammiano, Kaufman, Bierman, Alioto)

File 012-95-004, Resolution No. 184-95

(March 6, 1995 - Introduced in Board for consideration on March 13, 1995.)

Adopted.

[Family Planning Clinics]  
Resolution supporting the California State Senate resolution to denounce the increased violence against health care providers and family planning clinics. (Supervisors Shelley, Alioto)

File 012-95-005, Resolution No. 185-95

(March 6, 1995 - Introduced in Board for consideration on March 13, 1995.)

Adopted.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

[State Legislation, AB 1529, Marijuana]

Resolution supporting Assembly Bill 1529 concerning the possession and use of marijuana for medicinal purposes. (Supervisors Alioto, Bierman, Ammiano, Teng)

File 012-95-006, Resolution No. 186-95

(March 6, 1995 - Introduced in Board for consideration on March 13, 1995.)

Adopted.

[Funds, Redevelopment Agency]

Resolution endorsing the applications by the Redevelopment Agency to the U.S. Department of Commerce, Economic Development Administration and the United State Environmental Protection Administration for the purposes of military base conversion projects. (Supervisors Shelley, Alioto)

File 161-95-002, Resolution No. 192-95

(March 6, 1995 - Introduced in Board for consideration on March 13, 1995.)

Adopted.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

[Task Force on Prostitution, Extend]

Resolution extending the life of the Task Force on Prostitution by one month to April 17, 1995; amending the legislation establishing the Task Force on Prostitution and mandating its membership by adding six members representing neighborhoods affected by prostitution and deleting reference to six members representing six specific neighborhood groups. (Supervisor Hallinan)

File 174-95-003, Resolution No. 193-95

(March 6, 1995 - Introduced in Board for consideration on March 13, 1995.)

Adopted.

[State Legislation]

Resolution supporting the "Dignity For All Students" assembly bill that adds sexual orientation as a protected class in sections of the Education Code that protects students from discrimination. (Supervisors Migden, Leal, Ammiano, Alioto, Bierman, Kaufman)

File 211-95-002, Resolution No. 195-95

(March 6, 1995 - Introduced in Board for consideration on March 13, 1995.)

Adopted.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Migden)

File 030-95-001.04

(March 6, 1995 - Introduced in Board for consideration on March 13, 1995.)

Adopted.

[Extend Time for Negotiations]

Motion extending the time for negotiations pursuant to San Francisco Charter Section 3.100-2, relating to miscellaneous employees. (Supervisor Shelley)

File 106-95-001

(March 6, 1995 - Introduced in Board for consideration on March 13, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Hallinan, Kennedy, Migden, Shelley, Teng - 6.

Absent: Supervisors Alioto, Bierman, Hsieh, Kaufman, Leal - 5.

IMMEDIATE ADOPTION CALENDAR

Adopted

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-10, Resolution No. 147-95

(Connie Bear King, member, Human Rights Commission, March 7 - 8; Michael S. Strunsky, member, Airports Commission, March 10 - 15, 1995.)

Adopted.

[Insurance Rates]

Resolution approving the inclusion of the City and County as a petitioner urging the Insurance Commissioner to implement the rating factor provisions of Insurance Code 1861.02(a) as directed by Proposition 103. (Supervisors Ammiano, Leal)

File 12-95-7, Resolution No. 149-95

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Hallinan, Kennedy, Migden, Shelley, Teng - 6.

Absent: Supervisors Alioto, Bierman, Hsieh, Kaufman, Leal - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Appropriation, Chief Administrative Officer]

Ordinance appropriating \$32,117,349, \$15,700,965 from 1994 lease revenue bond proceeds and \$16,416,384 from convention facilities funds, Chief Administrative Officer, for debt service and capital improvements to the Moscone Center and the Children's Center. Supervisor Migden presented on behalf of Supervisor Bierman. Referred to Budget Committee.

File 101-94-076.

[Urban Forestry]

Ordinance amending Administrative Code Section 10.117-77 to allow depositing of fees, fines and liens into the Adopt-A-Tree Fund; amending Housing Code Section 351 to allow the recording of street tree permits on the Report of Residential Building Record; repealing the existing sections of Article 16 of the Public Works Code and inserting new sections to clarify street tree maintenance responsibilities, to provide for in-lieu and replacement fees, to promote the planting and retention of street trees, to initiate a cost recovery fee schedule for street tree removal permits, to clarify and simplify the procedures for tree permits and nuisance tree abatement and to increase the penalties for violations of this article. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee.

File 097-95-008.

[Quitclaim of Easement, 1096 Eddy Street]

Ordinance urging and authorizing the Director of Property to quitclaim an easement over a portion of

Progress Foundation for development of an affordable housing project and urging and authorizing the Director of Property to accept a relocated easement. Supervisor Migden presented on behalf of Supervisors Bierman, Alioto, Ammiano, Hsieh presented. Referred to Budget Committee.

File 203-95-001.

Referred to Board

[Proclaim, Mental Health Awareness Month]

Resolution declaring the month of May, 1995 as Mental Health Awareness Month in the City and County of San Francisco. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar March 20, 1995.

File 004-95-002.

[Commend M. H. de Young Museum]

Resolution commemorating the centennial of the M. H. de Young Museum, recognizing the importance of the Museum to the City and acknowledging the contribution of staff, trustees, docents and hundreds of volunteers each year who give their time and financial support to this most venerable institution. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar March 20, 1995.

File 006-95-024.

[Golden Gate Park Conservancy]

Resolution commending the Golden Gate Park Conservancy and Friends of Recreation and Parks. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar March 20, 1995.

File 006-95-025.

[Gay Adoptions]

Resolution urging the Governor to reconsider his decision rescinding the Department of Social Services decision that adoptions should be made on a case-by-case basis and his decision to reinstate the automatic denial process which would eliminate the right for lesbian and gay couples to adopt as well as unmarried heterosexual couples. Supervisors Migden, Bierman, Leal, Ammiano, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar March 20, 1995.

File 012-95-008.

[Retirement Benefits, PERS]

Resolution supporting a measure that would allow the transfer of prior service from the San Francisco Retirement System to the Public Employees Retirement System ("PERS") for probation officers and Juvenile Hall counselors who are already in PERS. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar March 20, 1995.

File 012-95-009.

[HOPWA Funds]

Resolution urging the Mayor to vigorously pursue funding for Housing Opportunities for People With AIDS (HOPWA) that are administered through the San Francisco Redevelopment Agency and the San Francisco AIDS Office and to lobby Congress for the reinstatement of funding that was targeted for housing services for people with AIDS. Supervisors Migden, Leal, Ammiano, Alioto, Bierman, Hallinan, Shelley. Referred to Board for Adoption Without Committee Reference Calendar March 20, 1995.

File 013-95-006.

[Telecommunications]

Resolution supporting the specific provisions in the United States Senate telecommunications discussion drafts, notably the subsection concerning local government authority, that are essential to the interests of local government; supporting these provisions' preservation of the rights of localities to manage and receive fair compensation for the use of public rights of way; urging the Senate telecommunications bill, in its local authority (Sec. 254) language, to retain the following wording: "... (b) Local Government Authority. Nothing in this section affects the authority of a local government to manage the public rights-of-way or to require fair and reasonable compensation from telecommunications providers, on a competitively neutral non-discriminatory basis, if the compensation required is publicly disclosed by such government. Supervisors Hallinan, Kennedy, Ammiano, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar March 20, 1995.

File 013-95-007.

Referred to Committee

[Interim Controls, Advertising Signs]

Resolution imposing interim zoning controls to prohibit for a period of twelve months general advertising signs within 200 feet of the park known as Union Square and facing said park and to delete the special exceptions from the roof sign and height limitations for general advertising signs within 200 feet of said park. Supervisor Bierman presented. Referred to Housing and Land Use Committee.

File 111-95-001.

Requests for Hearings

[Cryptosporidium in Water Supply]

Hearing to determine whether San Francisco water supply is showing traces of cryptosporidium and if employers are providing workers with access to fresh drinking water. Supervisors Migden, Ammiano presented. Referred to Health/Public Safety/Environment Committee.

File 005-95-001.

[Crab Cooking Areas]

Hearing to compare Federal Health Department regulations and San Francisco health inspection reports regarding crab cooking areas in "Fish Alley" at Fisherman's Wharf. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 030-95-005.

[Board Meeting in Sunset Community]

Hearing to consider conducting a Board meeting in the Sunset Community. Supervisor Shelley presented. Referred to Rules Committee.

File 054-95-006.

[Hate Crimes]

Hearing to consider the incidence of hate crimes in the City and County of San Francisco. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 207-95-005.

[Emergency Services Procedures]

Hearing to re-examine our Emergency Services procedures in San Francisco. Supervisor Shelley presented. Referred to Rules Committee.

File 270-95-002.

[Utility Rates, Pacific Gas and Electric]

Hearing to consider whether San Francisco customers of Pacific Gas and Electric are being over charged as a result of the PG&E practice of estimating bills. Supervisor Alioto presented. Referred to Select Committee on Municipal Public Power.

File 285-95-001.

[Pacific Gas and Electric Services]

Hearing to consider the reliability of service provided by Pacific Gas and Electric Company during the January, 1995 storms to its San Francisco customers. Supervisor Alioto presented. Referred to Select Committee on Municipal Public Power.

File 285-95-002.

Motions

Referred to Committee

[Charter Reform Meetings Outside City Hall]

Substitute motion directing the Select Committee on Charter Reform to hold three additional public hearings outside City Hall. Supervisor Kaufman presented. Referred to Rules Committee.

File 054-95-005.01.



Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 027-95-006. [Airport Lease, Philippine Air Lines] Ordinance approving Modification No. 3 of Lease and Use Agreement between Philippine Air Lines, Inc. and City and County of San Francisco, acting by and through its Airports Commission effective February 7, 1995. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 046-95-004. [Settlement of Litigation, Pleasant Hill Cremation] Ordinance authorizing settlement of litigation against defendant College Chapel Mortuary of a class action entitled In Re: Pleasant Hill Cremation Cases, with defendant paying \$100,000 into a settlement trust account. (S.F. Superior Court No. 943703) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 096-95-001. [Sale of Surplus Property] Ordinance authorizing the sale of surplus City-owned property and adopting findings pursuant to City Planning Code Section 101.1. (Parcel 1. Assessor's Block 140, Lot 8, located on the west side of Davis Street between Broadway Street and Vallejo Street; Parcel 2. Assessor's Block 141, Lot 11, located on the north side of Broadway Street between Front Street and Battery Street; Parcel 3. Assessor's Block 165, Lot 21, located on the south side of Broadway Street between Battery Street and Sansome Street.) Referred to Budget Committee.

File 097-95-007. [Memberships - Public Library] Ordinance amending Administrative Code Section 16.6-17.2 to authorize the San Francisco Public Library to join the North Bay Cooperative Library System, Peninsula Library System, and South Bay Cooperative Library System. (Public Library) Referred to Rules Committee.

File 101-94-072. [Appropriation, Dept. of Public Health-SFGH] Ordinance appropriating \$29,124,382, Department of Public Health, San Francisco General Hospital, in Medi-Cal Revenues, for participation in the SB 855 Disproportionate Share Payment Program for fiscal year 1994-95; providing \$12,282,331 for 1995-96 Budget Reserve. (Includes revenue transfer to the General Fund and SB 855 match in other non-personal services.) RO #94187 (Controller) Referred to Budget Committee.

File 101-94-073. [Appropriation, Dept. of Public Health-SFGH] Ordinance appropriating \$4,467,295, Department of Public Health, San Francisco General Hospital, in Medi-Cal Revenues and \$1,149,131 from the General Fund Reserve, for participation in the SB 855 Disproportionate Share Payment Program for fiscal year 1994-95. (Includes revenue transfer to the General Fund and SB 855 match in other non-personal services.) RO #94195 (Controller) Referred to Budget Committee.

File 101-94-074. [Appropriation, Airports] Ordinance appropriating \$8,568,551, Airport, of interest earnings from various Capital Improvement Project Funds of the Airport to Capital Improvement Projects (expand electrical sources to the Airport and support Master Plan Projects) for fiscal year 1994-95. RO #94165 (Controller) Referred to Budget Committee.

File 101-94-075. [Appropriation, Dept. of Electricity] Ordinance appropriating \$497,465, Department of Electricity and Telecommunications, from the General Fund Reserve for transfer to the 1994 Citywide Radio Communications System Fund, for fiscal year 1994-95 (provide General Fund support pending bond sale); providing for ratification of action previously taken. RO #94198 (Controller) Referred to Budget Committee.

File 102-94-012. [Public Employment, Airport, Add 33, Delete 1] Ordinance amending Ordinance No. 293-94 (Annual Salary Ordinance, 1994/95) reflecting the addition of thirty- three (33) positions and the deletion of one (1) position at the San Francisco International Airport; companion measure to File 101-94-71. (Department of Human Resources) Referred to Budget Committee.

Resolutions Referred to Committee

File 025-95-002. [Contract Out, Parking Citation Data Entry] Resolution concurring with the Controller's certification that parking citation data entry services for the Department of Parking and Traffic Citation Division can be practically performed by a private contractor for a lower cost than similar services performed by City and County employees. (Also see File 25-94-8) (Department of Parking and Traffic) Referred to Government Efficiency/Labor Committee.

File 040-95-007. [Residential Parking Area "J", Sunset/Parnassus] Resolution extending the boundaries of Residential Parking Area "J" in the Sunset/Parnassus Heights Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 047-95-007. [Moscone Center Parking Garage Rates] Resolution approving new evening rates at the Moscone Center Garage. (Department of Parking and Traffic) Referred to Budget Committee.

File 047-95-008. [Moscone Center Parking License Agreement] Resolution accepting Hawthorne Street Restaurant Partners, a California Limited Partnership, as licensee of certain parking spaces at the Moscone Center Garage. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 048-95-005. [Settlement of Claim, Allison Fisher] Resolution approving the settlement of the unlitigated claim of Allison Fisher by payment of \$60,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 153-95-001. [Grant, Homeless Prevention/Childcare Program] Resolution authorizing the Department of Social Services to apply for retroactively, accept, and expend a Federal grant in the amount of \$1,281,510 from the U.S. Department of Housing and Urban Development for the period of July 1, 1995 through June 30, 1998, to establish a Homeless Prevention Family Support Center and Childcare Program to provide centralized access to emergency and support services, and housing for families who are homeless or are at-risk of homelessness; and waiving indirect costs. (Department of Social Services) Referred to Government Efficiency/Labor Committee.

File 172-95-011. [Supplemental Indenture, Sutter/Post Apartments] Substitute resolution approving the form of, and authorizing the execution and delivery of, a Supplemental Indenture and amendment of Regulatory Agreement and an amendment to Loan Agreement; and authorizing other actions related thereto. (Mayor's Office of Housing) Referred to Budget Committee.

File 172-95-012. [Waiver, Seismic Retrofit Contracts] Resolution authorizing the City's assumption of damages due to earthquake in the contracts for the seismic retrofit of City Hall and construction of the new courthouse, pursuant to Administrative Code Section 6.54. (Department of Public Works) Referred to Government Efficiency/Labor Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that letter of inquiry be sent to the Honorable Recreation and Park Commission concerning Open Space Fund to determine where monies have been spent for the last two to five years, whether there are any planned program cuts, the reasons and what programs will be affected.

By Supervisor Kennedy, that letter of inquiry be sent to Director, Human Rights Commission concerning contract proposal #87051 to determine whether or not the proposal was put forth in good faith as set forth by the rules of the Minority Business Enterprise, Women Business Enterprise and Local Business Enterprise program and what response was made to the protest by Pegasus Couriers, Inc.

By Supervisor Kennedy, that letter of inquiry be sent to the Honorable Health Commission to determine why the American Indian AIDS Institute was defunded.

#### Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Louis R. Mambretti (By the entire Board)  
Eddythe C. Morris (Supervisor Kennedy)  
Timothy Offutt (Supervisor Alioto)

File 2-95-10

Unanimously adopted by a rising vote.

#### ADJOURNMENT

There being no further business, the Board at the hour of 3:28 p.m. adjourned.

John L. Taylor, Clerk



Monday, March 13, 1995

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 24, 1995.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



Monday, March 20, 1995

# **Journal of Proceedings**

*The Minutes of the*

# **Board of Supervisors**

City and County of San Francisco

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Number 11



JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

\_\_\_\_\_  
Monday, March 20, 1995 - 2:00 p.m.  
\_\_\_\_\_

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:20 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Noted absent at first roll call:

Supervisors Hsieh, Teng - 2.

Quorum present.

Supervisor Hsieh excused, on official leave of absence.

Supervisor Teng was noted present at 2:22 p.m.

Suspension of the Rules

Supervisor Kennedy, seconded by Supervisor Leal, moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Richard Goss, President, Board of Trustees, Fine Arts Museums.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

Mr. Goss mentioned that the M. H. de Young Memorial Museum is celebrating its 100th birthday and wanted to acknowledge the public-private partnership during the first 100 years. He introduced other members of the Board of Trustees and staff and presented each member of the Board of Supervisors with a catalog of the newest Monet exhibit and a comic book, entitled "The Ghost of the de Young Museum" created for the celebration.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Police Department]  
Ordinance appropriating \$1,921,844, Police Department, from the General Fund Reserve, for salaries, fringe benefits, other non-personal services, materials and supplies and services of other departments, and rescinding \$200,000 from court overtime to increase staffing for fiscal year 1994-95. (Supervisor Alioto)

File 101-94-58, Ordinance No. 73-95

Finally passed.

[Appropriation, Sheriff]  
Ordinance appropriating \$339,741, Sheriff, from the General Fund Reserve for salaries, fringe benefits and equipment to create six (6) positions for fiscal year 1994-95 (provide security at new court location and increase overtime). (Supervisor Alioto)

File 101-94-67, Ordinance No. 72-95

Finally passed.

[Public Employment, Sheriff]  
Ordinance amending Ordinance No. 293-94, Annual Salary Ordinance, 1994-95 Sheriff Department, reflecting the addition of six (6) positions; companion measure to File 101-94-67. (Supervisor Alioto)

File 102-94-9, Ordinance No. 76-95

Finally passed.

[Appropriation, Department of Public Health]  
Ordinance appropriating \$207,103, Department of Public Health, Mental Health, from the General Fund Reserve for medical service contracts to continue substance abuse programs in fiscal year 1994-95; providing for ratification of action previously taken. (Supervisors Alioto, Bierman)

File 101-94-70, Ordinance No. 74-95

Finally passed.

[Lease Revenue Bonds, Series 1995A]  
Ordinance providing for the approval and execution and delivery by officers of the City and County of San Francisco of an Equipment Lease Supplement No. 4 between the City and County of San Francisco Finance Corporation as lessor, and the City and County of San Francisco as lessee, with respect to equipment to be used for City purposes and the related certificate of approval; providing for reimbursement to the City of certain City expenditures prior to the issuance of Lease Revenue Bonds and approving the issuance of Lease Revenue Bonds by said nonprofit corporation; and providing that said bonds shall be subject to the certification of the Controller of the City and County of San Francisco prior to the sale of said bonds; and providing for the execution of documents in connection therewith and ratifying previous actions taken in connection therewith. (Chief Administrative Officer)

File 170-95-3, Ordinance No. 77-95

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[North Terminal Bookstore Lease]  
Ordinance approving the "North Terminal Bookstore Lease" between Books, Inc. and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-95-4, Ordinance No.

Passed for second reading.

[Settlement of Litigation, Ralph Owens]  
Ordinance authorizing settlement of litigation of Ralph Owens against the City and County by payment of \$11,000. (City Attorney)

File 45-95-7, Ordinance No.

(Superior Court No. 956-098.)

Passed for second reading.

[Settlement of Litigation, Mark Estrada]  
Ordinance authorizing settlement of litigation of Mark Estrada against the City and County by payment of \$19,000. (City Attorney)

File 45-95-8, Ordinance No.

(Superior Court No. 947-989.)

Passed for second reading.

[Settlement of Litigation, Virginia N. Davies]

Ordinance authorizing settlement of litigation of City and County against Virginia N. Davies by accepting consideration in the total amount of \$6,000 payable in cash and releasing said person only from further liability. (Treasurer-Tax Collector)

File 46-95-3, Ordinance No.

(S.F. Municipal Court No. 112311)

Passed for second reading.

Adopted

[Preventive Health Care for the Aging Program]

Resolution authorizing the Department of Public Health, Community Public Health Services, to apply retroactively for a grant of \$55,000 from the California Department of Health Services for preventive health services to San Francisco residents over age 60 who have limited access to care; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health)

File 146-95-3, Resolution No. 212-95

Adopted.

Recommendations of Housing and Land Use Committee

Adopted

[Stop Signs, Various Locations]

Resolution designating certain intersections as "Stop" intersections. (Housing and Land Use Committee)

File 18-95-4, Resolution No. 206-95

(Stop Signs - Establish

Trumbull Street, Stonybrook Avenue and Cambridge Street, southwest corner, stopping eastbound Trumbull Street traffic (makes this a three-way stop).

Forty-Sixth Avenue and Rivera Street, northwest and southeast corners, stopping Forty-Sixth Avenue traffic (makes this an all-way stop);

Portola Drive Frontage Road and Glenview Drive, northeast and southwest corners, stopping Portola Drive Frontage Road traffic (presently uncontrolled);

Southern Heights Avenue and De Haro Street, northeast and southwest corners, stopping Southern Heights Avenue traffic (makes this an all-way stop);

Sutter and Pierce Streets, northeast and southwest corners, stopping Sutter Street traffic (makes this an all-way stop).

Adopted.

[Parking Regulations, Ice House Alley]

Resolution rescinding parking regulations at Ice House Alley and Green Street. (Housing and Land Use Committee)

File 19-95-1.1, Resolution No. 207-95

(No Parking Anytime - Rescind

Ice House Alley, west side, from Green Street to 68-feet northerly (68-foot zone).)

Adopted.

[Residential Parking Area "S", Duboce Triangle]

Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding Sanchez Street, between Nineteenth and Twentieth Streets, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)



File 40-95-2, Resolution No. 209-95

Adopted.

[Residential Parking Area "A"]

Resolution amending a certain portion of Residential Permit Parking Area "A" (in the Telegraph Hill-North Beach-Russian Hill Area) to temporarily designate the area of Lombard Street, south side, from the west property line to Hyde Street to 200 feet westerly. (Department of Parking and Traffic)

File 40-95-4, Resolution No. 210-95

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

#### REGULAR CALENDAR

#### UNFINISHED BUSINESS

#### Appointment of President Pro Tempore

At the request of the President, Supervisor Migden assumed the Chair.

#### Recommendations of Budget Committee

#### Finally Passed

[Appropriation, District Attorney]

Ordinance appropriating \$200,000, from the General Fund Reserve for salaries, fringe benefits and training to address underfunding in the District Attorney's Office for fiscal year 1994-95; providing for ratification of action previously taken; subject of previous budgetary denial. (Supervisor Alioto)

File 101-94-33.1, Ordinance No. 75-95

(March 13, 1995 - Consideration continued to March 20, 1995.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Teng - 9.

Absent: Supervisors Hsieh, Shelley - 2.

The President resumed the Chair.

#### Passed for Second Reading

[Appropriation, Department of Human Resources]

Ordinance appropriating \$166,730, Department of Human Resources, from the General Fund Reserve for salaries, fringe benefits and equipment to create three (3) positions to support the Workers' Compensation Program for fiscal year 1994-95. (Controller)

File 101-94-66, Ordinance No.

(March 13, 1995 - Consideration continued to March 20, 1995.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Public Employment, Department of Human Resources]  
Ordinance amending Ordinance No. 293-94 (Annual Salary Ordinance 1994-95) Department of Human Resources, Workers' Compensation Division, reflecting the addition of three positions; companion measure to File 101-94-66. (Department of Human Resources)

File 102-94-11, Ordinance No.

(March 13, 1995 - Consideration continued to March 20, 1995.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

Recommendation of Government Efficiency and Labor Committee

Passed for Second Reading As Amended

[Campaign Finance Reform]  
Ordinance amending Administrative Code, relating to campaign finance reform. (Supervisors Hallinan, Alioto, Ammiano, Bierman)

File 97-95-3, Ordinance No.

(Amends Sections 16.501, 16.502, 16.503, 16.505, 16.508, 16.509 and 16.515;  
Adds Sections 16.510-1 through 16.510-6.)

(March 6, 1995 - Consideration continued to March 20, 1995.)

Supervisor Kaufman, seconded by Supervisor Teng, moved to amend page 12, line 12, by replacing "\$175,000" with "\$250,000".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair.

Recommendation of Select Committee on Municipal Public Power

Passed for Second Reading As Amended

[Public power Report]  
Ordinance amending Administrative Code, to require the Public Utilities Commission to prepare and transmit to the Board of Supervisors not later than June 30, 1996 a report regarding the municipalizing the electricity utilities distribution system in San Francisco; willful failure to discharge duties under this section deemed official misconduct". (Supervisors Alioto, Bierman)

File 97-95-4, Ordinance No.

(Adds Section 11.08.)

(March 6, 1995 - Consideration continued to March 20, 1995.)

Supervisor Alioto, seconded by Supervisor Bierman, moved to amend title, line 7, after "San Francisco" by adding "; willful failure to discharge duties under this section deemed official misconduct"; amend line 20, after "San Francisco." by adding "The willful failure of any public official to discharge any of the duties imposed by this section shall be deemed official misconduct."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Leal, Migden, Shelley, Teng - 8.

Noes: Supervisors Kaufman, Kennedy - 2.

Absent: Supervisor Hsieh - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Leal, Migden, Shelley, Teng - 8.

Noes: Supervisors Kaufman, Kennedy - 2.

Absent: Supervisor Hsieh - 1.

The President resumed the Chair.

NEW BUSINESS

Recommendation of Budget Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$332,600, Police Department, for materials and supplies and equipment to purchase semi-automatic handguns, ammunition and a firearms training simulator; for fiscal year 1994-95. (Supervisors Kaufman, Alioto, Bierman)

File 101-94-64, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Noes: Supervisor Ammiano - 1.

Absent: Supervisor Hsieh - 1.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Lease Renewals, Federal Aviation Administration]

Ordinance approving three FAA leases for certain space on the airfield at San Francisco International Airport between the United States of America and the City and County, acting by and through its Airports Commission; retroactive to July 1, 1994. (Airports Commission)

File 27-95-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

Adopted

[Employee Claims, Various Departments]

Resolution authorizing reimbursement for cost of personal property of City and County employees damaged/stolen in the line of duty, consisting of 6 claims, totaling \$1,933.46. (Government Efficiency and Labor Committee)

File 51-94-4, Resolution No. 197-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Statute of Limitations, Claudia Oates]

Resolution waiving the statute of limitations with respect to payment of certain warrants of the City and County, in the sum of \$546.91 a legal obligation of the City and County. (Controller)

File 23-95-3, Resolution No. 208-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

Consideration Continued

[Medical Services Contract]

Resolution authorizing the Director of Public Health to execute an agreement, including indemnification, with the University of California, San Francisco, for the provision of medical services to Medi-Cal beneficiaries by Community Public Health Services clinic physicians. (Department of Public Health)

File 172-95-7, Resolution No.

(Fiscal Impact.)

Supervisor Leal, seconded by Supervisor Migden, moved to continue consideration to March 27, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hallinan, Hsieh - 3.

Adopted

[Vocational Rehabilitation Services]

Resolution authorizing the Department of Public Health, Community Substance Abuse Services, to enter into a cooperative agreement with the State of California, Department of Rehabilitation, retroactive to July 1, 1994 in the amount of \$44,642, to provide vocational rehabilitation services to residents of San Francisco who are currently receiving or require substance abuse treatment services; authorizing and directing the President of the Board to sign said agreement which shall include an indemnification of the State of California. (Department of Public Health)

File 172-95-8, Resolution No. 213-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Motherlode Bar Relocation]

Resolution determining that relocation of the Motherlode Bar from 1002 Post Street to 1035 Post Street will serve the convenience and necessity of the people of the City and County, in accordance with Sections 23958 and 23958.4(b)(1) of the California Business and Professions Code. (Supervisors Hallinan, Teng)

File 223-95-1, Resolution No. 252-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Recommendation of Health, Public Safety and Environment Committee

Adopted as Amended

["Matrix" Quality of Life Infractions]

((Resolution declaring that the Matrix Program constitutes a major policy on homelessness in San Francisco formed without the approval of the Board of Supervisors, which could have ensured public participation; urging the Mayor to re-direct police activities away from enforcing quality of life infractions to more serious criminal activities; finding that the Board of Supervisors do not support the Matrix Policy; urging the Mayor to implement and fully support the recommendations of the U.S. Conference of Mayors' Task Force on Hunger and Homelessness; finding that the policy of the City and County of San Francisco is to attack homelessness, not homeless people; urging that programs for the homeless fund mental health, substance abuse treatment, housing services and job training programs; agreeing with the findings of the U.S. Justice Department that arrests for quality of life infractions constitute cruel and unusual punishment; urging adoption of existing programs such as Beyond Shelter, One-by-One, and Continuum of Care for implementation with "Matrix" funds; urging any such program adoption to include community providers, advocacy groups and the S.F. Board of Supervisors; urging community participation to monitor new programs regarding civil rights; urging that until such time as there is adequate shelter, the policy of giving priority to Matrix referrals should cease; urging that programs funded by the City and County of San Francisco provide shelter and services on an equal opportunity basis.)) (Supervisors Alioto, Ammiano, Teng, Bierman, Hallinan)

Resolution noting awareness that the Matrix Program constitutes a major policy on homelessness in San Francisco formed without the approval of the Board of Supervisors, which could have ensured public participation; urging the Mayor to re-direct police activities away from enforcing quality of life infractions to more serious criminal activities; ((finding that)) the Board of Supervisors urges the Mayor to redirect police enforcement of quality of life infractions to prevention of violent crimes; not supporting selective enforcement; urging the Mayor to implement and fully support the recommendations of the U.S. Conference of Mayors' Task Force on Hunger and Homelessness; ((finding that)) it is the policy of the City and County of San Francisco ((is)) to attack homelessness, not homeless people; urging that programs for the homeless fund mental health, substance abuse treatment, housing services and job training programs; noting awareness of the findings of the U.S. Justice Department that arrests for quality of life infractions constitute cruel and unusual punishment; urging review of existing programs such as Beyond Shelter and One-by-One, for implementation with "Matrix" funds; urging any such program review to include community providers, advocacy groups and the S.F. Board of Supervisors; urging community participation to monitor new programs regarding civil rights; urging that until such time as there is adequate shelter, the policy of giving priority to Matrix referrals should be critically reviewed; urging that programs funded by the City and County of San Francisco provide shelter and services on an equal opportunity basis.

File 207-94-21, Resolution No. 214-95

Supervisor Alioto, seconded by Supervisor Kennedy, moved an amendment of the whole entitled, "Resolution noting awareness that the Matrix Program constitutes a major policy on homelessness in San Francisco formed without the approval of the Board of Supervisors, which could have ensured public participation; urging the Mayor to re-direct police activities away from enforcing quality of life infractions to more serious criminal activities; finding that the Board of Supervisors urges the Mayor to redirect police enforcement of quality of life infractions to prevention of violent crimes; not supporting selective enforcement; urging the Mayor to implement and fully support the recommendations of the U.S. Conference of Mayors' Task Force on Hunger and Homelessness; finding that the policy of the City and County of San Francisco is to attack homelessness, not homeless people; urging that programs for the homeless fund mental health, substance abuse treatment, housing services and job training programs; noting awareness of the findings of the U.S. Justice Department that arrests for quality of life infractions constitute cruel and unusual punishment; urging review of existing programs such as Beyond Shelter and One-by-One, for implementation with "Matrix" funds; urging any such program review to include community providers, advocacy groups and the S.F. Board of Supervisors; urging community participation to monitor new programs regarding civil rights; urging that until such time as there is adequate shelter, the policy of giving priority to Matrix referrals should be critically reviewed; urging that programs funded by the City and County of San Francisco provide shelter and services on an equal opportunity basis."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

Supervisor Kennedy, seconded by Supervisor Alioto, moved to amend title, line 5, by deleting "finding that"; amend title, line 8, by replacing "finding that" with "it is"; and amend title, line 8, after "San Francisco" by deleting "is".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

The roll was then called on the pending resolution as amended and it was adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kennedy, Leal, Migden, Shelley, Teng - 9.

Noes: Supervisor Kaufman - 1.

Absent: Supervisor Hsieh - 1.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Voluntary Bicycle Registration]

Ordinance amending Traffic Code, to authorize the Police Department to administer a Voluntary Bicycle Registration Program and to collect an administrative fee of five dollars (\$5.00) for bicycle registration, to establish the Bicycle Registration Fund, and to require reporting of expenditures from the fund. (Police Commission)

File 124-94-15, Ordinance No.

(Adds Sections 109 through 109.4.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Residential Parking Permit for Businesses]

Ordinance amending Traffic Code, to require a business to present proof of a valid business tax registration certificate and payment of a business tax before being issued a residential parking permit. (Supervisors Kaufman, Leal)

File 124-94-16, Ordinance No.

(Amends Section 308.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Repeal Owner-Occupied Four Units or Less Exemption]

Ordinance amending Administrative Code, providing for notice of the repeal of the exemption from rent regulation for owner-occupied buildings containing four units or less. (Supervisors Migden, Teng)

File 109-95-2, Ordinance No.

(Adds Section 37.12(c))

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.



Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Adopted

[Parking of Vehicles]

Resolution extending the boundaries of Residential Permit Parking Area "U" in the South of Market Area and adding to the list of streets upon which time limitations shall apply. (Housing and Land Use Committee)

File 40-95-5, Resolution No. 211-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

Consideration Continued

[Embarcadero-Lower Market Redevelopment Project]

Resolution urging the Redevelopment Agency to take steps necessary to amend the Embarcadero-Lower Market (Golden Gateway) Redevelopment Project Plan to (1) expand the project area boundaries to include properties formerly occupied by the Embarcadero Freeway System and (2) expand the activities of the Redevelopment Project to facilitate the development of Block 203 and portions of Block 202 and improvement of the Mid-Embarcadero open space and in a timely fashion. (Chief Administrative Officer)

File 73-95-1, Resolution No.

Supervisor Teng, seconded by Supervisor Ammiano, moved to continue consideration to April 3, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

Adopted

[Appeal, Minor Sidewalk Encroachment, 100 Ulloa Street]

Motion denying the appeal of a decision by the Director of Public Works, which denied the issuance of a minor encroachment permit for an existing fence at 100 Ulloa Street, and denying the issuance of a minor encroachment permit for an existing fence at 100 Ulloa Street. (Housing and Land Use Committee)

File 24-95-1

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

Conference with Labor Negotiator - Collective Bargaining

Adopted

Motion that the Board of Supervisors convene in closed session with, Wendell Pryor, Director of Human Resources, for the purpose of reviewing the City's position and instructing its designated representatives concerning collective bargaining negotiations involving all forms of compensation (including wages, hours, benefits, and working conditions), with all recognized employee organizations, as authorized by California Government Code Section 54957.6.

Supervisor Kennedy, seconded by Supervisor Hallinan, moved adoption.

Motion adopted by the following vote:



Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

Recess

The Board recessed at the hour of 5:25 p.m. to convene in closed session pursuant to above motion.

Reconvening of the Board

The Board, at the hour of 5:54 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hallinan, Kennedy, Leal, Migden, Shelley - 8.

Noted Absent: Supervisors Hsieh, Kaufman, Teng - 3.

Quorum present.

Supervisor Hsieh excused. (See supra.)

Supervisor Kaufman was noted present at 5:55 p.m.

Supervisor Teng was noted present at 5:56 p.m.

Report on Closed Session

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations in pending employee relations negotiations.

Supervisor Kennedy, seconded by Supervisor Hallinan, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors Hsieh, Kaufman, Teng - 3.

COMMITTEE REPORTS

Recommendation of Budget Committee

Adopted

[Supplemental Indenture, Sutter/Post Apartments]  
Resolution approving the form of, and authorizing the execution of a Supplemental Indenture; and authorizing other actions related thereto. (Mayor's Office of Housing)

File 172-95-11, Resolution No. 176-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Teng - 2.

Recommendation of Housing and Land Use Committee

Passed for Second Reading As Amended

[Rent Control]  
Ordinance amending Administrative Code, to prohibit the rent board from issuing rules that treat newly-created units differently than other units subject to rent control in determining whether rent increases are justified. (Supervisors Bierman, Teng)

File 109-95-3, Ordinance No.

(Amends Section 37.6.)

Supervisor Leal Excused

On advice of the City Attorney, Supervisor Leal requested to be excused from voting.

Supervisor Kennedy, seconded by Supervisor Kaufman, moved to excuse Supervisor Leal from voting.

Motion to excuse Supervisor Leal from voting adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

Supervisor Bierman, seconded by Supervisor Migden, moved to amend page two, line 10, after "filed;" by adding "However, the Board may promulgate regulations consistent with Proposition "I" to provide for hearings to relieve a landlord from hardship, when the landlord became owner of record of a unit covered by Proposition "I" between September 1, 1993-December 22, 1994, and the landlord relied on the ability to raise rents without restriction from rent control in purchasing the unit."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Excused: Supervisor Leal - 1.

Absent: Supervisor Hsieh - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Migden, Shelley, Teng - 7.

Noes: Supervisors Kaufman, Kennedy - 2.

Excused: Supervisor Leal - 1.

Absent: Supervisor Hsieh - 1.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public hearing]

Hearing of persons interested in or objecting to appeal decision of City Planning Commission by its Motion No. 13790, dated December 15, 1994, approving Conditional Use Application No. 93.179C, for conditional use authorization to construct a 13-story mixed use Residential/Commercial Building, exceeding a height of forty feet, containing parking in excess of accessory amounts, large fast food restaurant and recognized as a Planned Unit Development with Planning Code exceptions for dwelling unit exposure, bulk limits, wind speed standards, and rear yard standards within an RC-4 (Residential, Commercial Combined, High Density), District, the Van Ness Avenue Special Use District, an NC-3 (Moderate-Scale Neighborhood Commercial) District and 130V and E Height and Bulk Districts on property located at 600 Van Ness Avenue and Elm Street, 550 and 556 Golden Gate Avenue; Lots 6, 7, 8 and 9, in Assessor's Block 763.

File 37-95-1

(Appeal filed January 17, 1995.)

(March 13, 1995 - Consideration continued to March 20, 1995.)

The following persons were sworn in and granted privilege of the floor:

Appellants:

Brother Kelly Cullen; male speaker; Terry Hogan; Robert Duffy; Gary Jones; Donna Grouse; David Turn; Edward Evans; Howard Sprouse; Dean Sai Lau; Reverend G. Vitalis; Mrs. Darryl Schwartz; Dave Sperro; Sue Hestor; Javier.

Respondents:

Bob Passmore, representing Department of City Planning and City Planning Commission; Mr. Heller; Harry O'Brien; Ellen Lever; Bob Planthole; Bill Verducci; Steven Laurence; Don Langendorf; Stan Smith; Christopher Moy; Noel Hernandez; Robert Garcia; Philip Fay; Lee Lugerdis; Philip Dodger; Paul Riser; Terry Wyloff.

A rebuttal period was allowed.

The President then declared the hearing closed.

Adopted

[Environmental Review, 600 Van Ness Avenue]

Motion certifying review of Final Negative Declaration relating to proposed conditional use of property at 600 Van Ness Avenue between Golden Gate Avenue and Elm Street, 550 and 556 Golden Gate Avenue.

File 37-95-1.4

(March 13, 1995 - Consideration continued to March 20, 1995.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

(Only one of the following two motions should be adopted.)

[Zoning Appeal]

Motion approving decision of the City Planning Commission by its Motion No. 13790, approving Conditional Use Application No. 93.179C, on property located at 600 Van Ness Avenue between Golden Gate Avenue and Elm Street, 550 and 556 Golden Gate Avenue.

File 37-95-1.1

(March 13, 1995 - Consideration continued to March 20, 1995.)

Supervisor Kennedy, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Kaufman, Kennedy, Shelley, Teng - 6.

Noes: Supervisors Ammiano, Bierman, Leal, Migden - 4.

Absent: Supervisor Hsieh - 1.

Tabled

[Zoning Appeal]

Motion disapproving decision of the City Planning Commission by its Motion No. 13790, approving Conditional Use Application No. 93.179C, on property located at 600 Van Ness Avenue between Golden Gate Avenue and Elm Street, 550 Golden Gate Avenue and 556 Golden Gate Avenue, and adopting findings pursuant to City Planning Code Section 101.1.

File 37-95-1.2

(March 13, 1995 - Consideration continued to March 20, 1995.)

Supervisor Kennedy, seconded by Supervisor Kaufman, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

Adopted

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 93.179C on property located at 600 Van Ness Avenue between Golden Gate Avenue and Elm Street, 550 and 556 Golden Gate Avenue, for action by the Board at its next meeting.

File 37-95-1.3

(March 13, 1995 - Consideration continued to March 20, 1995.)

Supervisor Kennedy, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Noes: Supervisor Bierman - 1.

Absent: Supervisor Hsieh - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Leboria Moore, Alice Griffith Project, marijuana, son;  
Peter Mycherkoff, Mayor's Annual State of City Speech public comment, matrix;  
Edward Evans, Access Appeals Commission, Channel 54;  
Ono May, SF Suicide Line.

There being no one else present to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Proclaim, Mental Health Awareness Month]

Resolution declaring the month of May, 1995 as Mental Health Awareness Month in the City and County. (Supervisors Alioto, Teng)

File 004-95-002, Resolution No. 199-95

(March 13, 1995 - Introduced in Board for consideration on March 20, 1995.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Commend M. H. de Young Museum]

Resolution commemorating the centennial of the M. H. de Young Museum, recognizing the importance of the Museum to the City and acknowledging the contribution of staff, trustees, docents and hundreds of volunteers each year who give their time and financial support to this most venerable institution. (Supervisors Shelley, Alioto, Kaufman, Leal, Teng)

File 006-95-024, Resolution No. 200-95

(March 13, 1995 - Introduced in Board for consideration on March 20, 1995.)

Adopted.

In connection with the above item, Supervisors Kaufman, Leal, Teng requested to be added as co-sponsors.

[Golden Gate Park Conservancy]

Resolution commending the Golden Gate Park Conservancy and Friends of Recreation and Parks. (Supervisors Shelley, Alioto)

File 006-95-025, Resolution No. 201-95

(March 13, 1995 - Introduced in Board for consideration on March 20, 1995.)

Adopted.

[Gay Adoptions]

Resolution urging the Governor to reconsider his decision rescinding the Department of Social Services decision that adoptions should be made on a case-by-case basis and his decision to reinstate the automatic denial process which would eliminate the right for lesbian and gay couples to adopt as well as unmarried heterosexual couples. (Supervisors Migden, Bierman, Leal, Ammiano, Alioto, Teng)

File 012-95-008, Resolution No. 203-95

(March 13, 1995 - Introduced in Board for consideration on March 20, 1995.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Retirement Benefits]

Resolution supporting a measure that would allow the transfer of prior service from the San Francisco Retirement System to the Public Employees Retirement System ("PERS") for probation officers and Juvenile Hall counselors who are already in PERS. (Supervisors Ammiano, Alioto)

File 012-95-009, Resolution No. 187-95

(March 13, 1995 - Introduced in Board for consideration on March 20, 1995.)

Adopted.

[HOPWA Funds]

Resolution urging the Mayor to vigorously pursue funding for Housing Opportunities for People With AIDS (HOPWA) that are administered through the San Francisco Redevelopment Agency and the San Francisco AIDS Office and to lobby Congress for the reinstatement of funding that was targeted for housing services for people with AIDS. (Supervisors Migden, Leal, Ammiano, Alioto, Bierman, Hallinan, Shelley, Kaufman, Teng)

File 013-95-006, Resolution No. 204-95

(March 13, 1995 - Introduced in Board for consideration on March 20, 1995.)

Adopted.

In connection with the above item, Supervisors Kaufman, Teng requested to be added as co-sponsors.

[Telecommunications]

Resolution supporting the specific provisions in the United States Senate telecommunications discussion drafts, notably the subsection concerning local government authority, that are essential to the interests of local government; supporting these provisions' preservation of the rights of localities to manage and receive fair compensation for the use of public rights of way; urging the Senate telecommunications bill, in its local authority (Sec. 254) language, to retain the following wording: "... (b) Local Government Authority. Nothing in this section affects the authority of a local government to manage the public rights-of-way or to require fair and reasonable compensation from telecommunications providers, on a competitively neutral non-discriminatory basis, if the compensation required is publicly disclosed by such government. (Supervisors Hallinan, Kennedy, Ammiano, Bierman, Teng)

File 013-95-007, Resolution No. 205-95

(March 13, 1995 - Introduced in Board for consideration on March 20, 1995.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Final Map, 728 Alabama Street]

Motion approving final map of 728 Alabama Street, a Condominium Project, being a resubdivision of Lot 6 in Assessor's Block 4083, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-95-4

(March 13, 1995 - Introduced in Board for consideration on March 20, 1995.)

Adopted.

[Final Map, 840 Lake Street]

Motion approving final map of 840 Lake Street, a Condominium Project, being a resubdivision of Lot 5A in Assessor's Block 1349, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-95-5

(March 13, 1995 - Introduced in Board for consideration on March 20, 1995.)

Adopted.

[Final Map, 950 Stockton Street, Mandarin Tower]

Motion approving final map of 950 Stockton Street, Mandarin Tower, 3rd Floor, a Condominium Project, being a resubdivision of Lot 5 in Assessor's Block 210A, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-95-6

(March 13, 1995 - Introduced in Board for consideration on March 20, 1995.)

Adopted.

[Final Map, 1931 Diamond Street]

Motion approving final map of 1931 Diamond Street, a Condominium Project, being a resubdivision of Lot 14 in Assessor's Block 7539, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-95-7

(March 13, 1995 - Introduced in Board for consideration on March 20, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hallinan, Hsieh - 3.

#### IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-11, Resolution No. 180-95

(Willie B. Kennedy, member, Board of Supervisors, March 23 - 26; Preston Cook, member, Port Commission, March 14 - 15; Larry Mazzola, member, Airports Commission, March 16 - 19, 1995.)

Adopted.

["Don't Ask, Don't Tell" Anti-Gay Policy]

Resolution expressing the support of Board of Supervisors of the City and County of San Francisco for the American Civil Liberties Union and Lambda Legal Defense and Education Fund court challenge of discriminatory "Don't Ask, Don't Tell" anti-gay policy of the United States Armed Forces. (Supervisors Ammiano, Leal, Migden, Kaufman, Teng)

File 13-95-8, Resolution No. 188-95

Adopted.

In connection with the above item, Supervisors Leal, Migden, Kaufman, Teng requested to be added as co-sponsors.

[Cultural Exchange, African-American/Jewish Youths]  
Resolution urging the Mayor to support a "Day of Cultural Exchange" between African-American and Jewish youth in a university setting. (Supervisors Kennedy, Kaufman, Teng)

File 211-95-1.1, Resolution No. 194-95

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hallinan, Hsieh - 3.

#### IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board find by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Teng, seconded by Supervisor Kennedy, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hallinan, Hsieh - 3.

Adopted

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Teng, seconded by Supervisor Kennedy, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hallinan, Hsieh - 3.

Adopted

[Commendation]

Resolution commending the promotions of San Francisco Police Lieutenant Heather Fong to the rank of Captain and San Francisco Police Sergeants Richard Hom, Lon Ramlan, Keith Sanford and Sandra Tong to the rank of Lieutenant in the San Francisco Police Department.

File 006-95-026, Resolution No. 181-95

Supervisors Teng, Alioto, Shelley, Kaufman, Leal, Ammiano, Bierman, Migden presented for immediate adoption.

Adopted by the following vote:



Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hallinan, Hsieh - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Credit Card and ATM Card Payments]

Ordinance amending Administrative Code Section 10.11-2 to authorize the Library Commission to accept credit cards or automatic teller machine cards ("ATM") for the payment of fees and charges. Supervisor Kaufman presented. Referred to Government Efficiency/Labor Committee.

File 097-95-010.

[Parking Rates, Special Events]

Ordinance amending Administrative Code Section 17.17 to permit the Parking Authority Commission to adjust rates charged at public off-street parking facilities temporarily on account of a special event. Supervisor Migden presented. Referred to Budget Committee.

File 097-95-011.

Referred to Committee

[Community Development Block Grant Funds, 1995]

Resolution opposing the rescission of \$349.2 million in Community Development Block Grant monies. Supervisor Teng presented. Referred to Budget Committee.

File 013-95-009.

[Video Display Terminals]

Resolution endorsing the Video Display Terminal Worker Safety Ordinance Advisory Committee 1994 annual report; urging the Mayor to ensure that adequate funding be provided to city departments to comply with all provisions of the VDT ordinance; urging the Mayor to direct city administrators and department heads to attend VDT education and training programs; urging the Mayor to direct city departments to establish joint employee/management VDT compliance committees; urging the Mayor to direct any city department with an existing health and safety committee to include a minimum of two seats for VDT users. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 030-94-022.01.

Referred to Board

[Trial Court Funding, 1995-96]

Resolution electing to become subject to the provisions of the State Trial Court Funding program for the period of July 1, 1995 through June 30, 1996. Supervisors Shelley, Hsieh presented. Referred to Board for Adoption Without Committee Reference Calendar March 27, 1995.

File 187-95-001.

Referred to Committee

[Online Services]

Resolution requesting the Chief Administrative Officer and the Mayor's office to identify how much it will cost to place city offices online, ensuring that each city department has an E-mail address; requesting the CAO and the Mayor report back to the Board about the feasibility of making information and schedules regarding the Board of Supervisors and other commissions available to the public via the Internet; reporting to the Board of Supervisors about the feasibility of making the process for applications and payment of fees and licenses accessible via computer; requesting that they find ways for city departments to place purchase orders and apply for grants via computer. Supervisors Migden, Leal, Ammiano, Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 227-95-002.

Referred to Board

[Access Appeals Commissioners]

Resolution opposing Building Inspection Commission's removal of two commissioners currently serving four year term appointments. Supervisors Leal, Kennedy presented. Referred to Board for Adoption Without Committee Reference Calendar March 27, 1995.

File 228-95-001.

[Cities for Climate Protection Campaign]

Resolution supporting San Francisco's participation in the Cities for Climate Protection Campaign. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar March 27, 1995.

File 229-95-001.

Requests for Hearings:

[Contract with America]

Hearing to consider opposing the "Contract with America" proposal. Supervisor Alioto presented. Referred to Economic Vitality/Social Policy Committee.

File 013-95-010.

[Health Care Infrastructure]

Hearing to consider trends in San Francisco's health care infrastructure, particularly the decreasing number of available hospital beds. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee.

File 030-95-006.

[Emergency Medical Care Committee]

Hearing to consider the termination of the Emergency Medical Care Committee and to discuss the recommendations submitted by members of said committee. Supervisor Kennedy presented. Referred to Health/Public Safety/Environment Committee.

File 097-95-012.

[Hunt Lane]

Hearing to consider alternative uses for Hunt Lane. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee.

File 164-95-001.

[City Hall Press Room]

Hearing to consider availability, distribution and allocation of space in the interim City Hall for use of the City Hall press corps. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee.

File 186-95-004.

[Building Inspection Commission]

Hearing to consider the practices, policies and procedures of the new Department of Building Inspection and Commission. Supervisor Kennedy presented. Referred to Government Efficiency/Labor Committee.

File 228-95-002.

Motions

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Migden presented. Referred to Board for Adoption Without Committee Reference Calendar March 27, 1995.

File 030-95-001.05.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 027-95-007. [Airport Lease Modification, United Air Lines] Ordinance approving Modification No. 11 of Lease and Use Agreement between United Air Lines, Inc. and the City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 097-95-009. [Cash Revolving Funds - Sheriff] Ordinance amending Administrative Code by amending Section 10.164, increasing the Sheriff's Cash Revolving Fund. (Office of the Sheriff) Referred to Budget Committee.

File 101-94-077. [Appropriation, Department of Public Health] Ordinance appropriating \$682,058, Department of Public Health-Mental Health, from the General Fund Reserve for medical service contracts to continue Substance Abuse Programs in fiscal year 1994-95; providing for ratification of action previously taken. RO #94190 (Controller) Referred to Budget Committee.

File 101-94-078. [Appropriation, Department of Public Health] Ordinance appropriating \$125,000, Department of Public Health-Community Health Services, from the General Fund Reserve for professional services to implement the Medi-Cal Managed Care Local Initiative for fiscal year 1994-95. RO #94203 (Controller) Referred to Budget Committee.

File 101-94-079. [Appropriation, Real Estate Department] Ordinance appropriating \$208,005, Real Estate Department, from the General Fund Reserve for salaries, fringe benefits, other non-personal services, materials and supplies and equipment to provide security services at 875 Stevenson Street and the War Memorial Building for fiscal year 1994-95 (includes revenue transfer to the War Memorial Special Fund). RO #94161 (Controller) Referred to Budget Committee.

File 101-94-080. [Appropriation, District Attorney] Ordinance appropriating \$533,277, District Attorney, of Federal Revenue and rescinding \$59,253 from other non-personal services to fund \$592,530 of computer equipment for the Statewide Automated Child Support System for the District Attorney-Family Support office, for fiscal year 1994-95. RO #94191 (Controller) Referred to Budget Committee.

File 101-94-081. [Appropriation, CAO] Ordinance appropriating \$23,508, CAO's Office, from the General Fund Reserve to provide full funding for the cost of the membership in the Association of Bay Area Governments for fiscal year 1994-95. RO #94201 (Controller) Referred to Budget Committee.

File 102-94-013. [Public Employment, Public Defender's Office] Ordinance amending Ordinance No. 293-94 (Annual Salary Ordinance, 1994/95) Public Defender's Office, reflecting the addition of three (3) positions (Classification B174 Civil Attorney). (Department of Human Resources) Referred to Budget Committee.

Resolutions Referred to Committee

File 011-95-001. [Finding, Japan Town Peace Plaza Renovation] Resolution adopting a benefit finding pursuant to California Redevelopment Law regarding the expenditure of \$600,000 tax increment funds outside of the Western Addition Redevelopment Project Area, A-2. (Redevelopment Agency) Referred to Budget Committee.

File 025-95-003. [Prop J Contract, Security Services, 875 Stevenson] Resolution concurring with the Controller's certification that security services for 875 Stevenson Street can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 028-95-004. [Emergency Repair, 7th Street AWSS Main Line] Resolution authorizing the San Francisco Fire Department to take necessary measures to protect the health and safety of the citizens of San Francisco by performing the necessary work to repair the auxiliary water supply system (AWSS) main break on Seventh Street between Townsend and Brannan Streets - \$177,200. (Fire Department) Referred to Budget Committee.

File 047-95-009. [Fifth and Mission Garage Rates] Resolution approving new rates at the Fifth and Mission Garage. (Department of Parking and Traffic) Referred to Budget Committee.

File 148-95-001. [Acceptance of Funds, Catellus Development Corp.] Resolution authorizing the Director of Public Works, with approval of the Chief Administrative Officer, to accept and expend funds of up to \$1,015,190 from Catellus Development Corporation for its share of Combined Sewer System and Overland Flow Facility Costs associated with construction of the King Street Roadway in the Mission Bay Project Area. (Also see Files 225-90-3, 255-91-3, and 255-94-1) (Department of Public Works) Referred to Government Efficiency/Labor Committee.

File 172-95-013. [Contract, United Nations Plaza] Resolution authorizing the Chief Administrative Officer to enter into an agreement with members of the United Nations Plaza Project Committee whereby the city will indemnify and hold said members harmless from damages arising out of the United Nations Plaza Project. (Chief Administrative Officer) Referred to Government Efficiency/Labor Committee.

File 172-95-014. [State Hold Harmless Medi-Cal Agreement] Resolution authorizing the Department of

Public Health, Community Substance Abuse Services to enter into a Hold Harmless Medi-Cal Agreement retroactive to July 1, 1994 for the term July 1, 1994 through June 30, 1995 with the State of California, Department of Alcohol and Drug Programs in the amount of \$5,559,002 as a condition of receiving State Medi-Cal funds for Substance Abuse Treatment; authorizing and designating the Director of Substance Abuse Services to sign said agreement. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that City Attorney review and advise whether the Board of Supervisors or the State can do anything to change the procedures concerning police response to spousal abuse call for help.

By Supervisors Leal, Shelley, Ammiano that City Attorney draft legislation to extend the liquor moratorium in the Mission District. File 111-93-1.

By Supervisor Teng, that letter of inquiry be sent to Chief of Police to determine the following information with a request that he respond within three weeks: What is the total number of community police officers in San Francisco; what is the percentage of community police officers in relation to the total number of police officers; what percentage of the Police Department budget is allocated for community policing; what is the number of community police assigned to each of the various neighborhoods; if there is a significant variance in the number of community police officers in each neighborhood, please explain the basis for which community police are assigned to specific neighborhoods.

By Supervisor Alioto, that City Attorney prepare legislation which would require the removal of cigarette advertising at Candlestick Park.

By Supervisor Alioto, that City Attorney prepare legislation amending the Video Display Terminal ordinance to reflect the recommendations made by the VDT Advisory Committee in its 1994 annual report. File 30-94-22.1.

By Supervisor Alioto, that letter be sent to President, Ethics Commission, inquiring whether the Commission has considered the issue of campaign consultants acting as paid lobbyists for businesses and individuals being considered for city contracts, whether the Commission has any recommendations for the Board of Supervisors to consider concerning revisions to city ordinances related to conflict of interests and lobbying laws and governmental ethics on this issue.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Richard E. Boesel, Jr. (Supervisor Shelley)  
Paul T. Raedeke (Supervisor Migden)  
Michael Garcia (Supervisor Migden)  
Henry M. Derin (Supervisor Kaufman)  
Edward V. Roberts (Supervisor Ammiano)

File 2-95-3

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 6:51 p.m. adjourned.

John L. Taylor, Clerk

Monday, March 20, 1995

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 8, 1995

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

Monday, March 27, 1995

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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Volume 90

Number 12





JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

\_\_\_\_\_  
Monday, March 27, 1995 - 2:00 p.m.  
\_\_\_\_\_

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:35 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Noted absent at first roll call:

Supervisor Hsieh - 1.

Quorum present.

Supervisor Hsieh excused. (See infra.)

Supervisor Hsieh Excused

The Clerk announced that Supervisor Hsieh had requested to be excused from attendance because of illness.

Supervisor Hallinan, seconded by Supervisor Kennedy, moved to excuse Supervisor Hsieh from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

COMMUNICATION

The Clerk presented the following communication from his Honor, the Mayor:

Mr. John Taylor  
Clerk of the Board of Supervisors  
City and County of San Francisco  
Room 235, City Hall  
400 Van Ness Avenue  
San Francisco, CA 94102

Dear Mr. Clerk:

I am nominating Mr. William Lee to the position of Chief Administrative Officer of the City and County of San Francisco, subject to confirmation and approval of the Board of Supervisors. He will succeed Rudy Nothenberg whose resignation is effective March 27, 1995. He meets all of the qualifications required in Section 3.200 of the Charter. I have every confidence in his ability and judgment. He comes from a tradition of public service. I request that the Board confirm and approve his appointment as soon as possible.

Sincerely,

Frank Jordan  
Mayor

Referred to Board

[Appointment, Chief Administrative Officer]

Resolution confirming and approving appointment of William Lee as Chief Administrative Officer.

File 33-95-3

President Shelley introduced the above resolution and referred it to the Board of Supervisors Sitting as a Committee of the Whole at today's meeting. (See infra.)

CONSENT CALENDAR

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Department of Parking and Traffic]

Ordinance appropriating \$173,610, Department of Parking and Traffic, of Parking Revenue Funds to a Capital Improvement Project (Polk-Bush Garage architectural services and construction), for fiscal year 1994-95; providing for ratification of action previously taken. (Controller)

File 101-94-61, Ordinance No.

Passed for second reading.

Finally Passed

[Appropriation, Department of Human Resources]

Ordinance appropriating \$166,730, Department of Human Resources, from the General Fund Reserve for salaries, fringe benefits and equipment to create three (3) positions to support the Workers' Compensation Program for fiscal year 1994-95. (Controller)

File 101-94-66, Ordinance No. 79-95

Finally passed.

[Public Employment, Department of Human Resources]

Ordinance amending Ordinance No. 293-94 (Annual Salary Ordinance 1994-95) Department of Human Resources, Workers' Compensation Division, reflecting the addition of three positions; companion measure to File 101-94-66. (Department of Human Resources)

File 102-94-11, Ordinance No. 80-95

Finally passed.

Adopted

[Gift Acceptance]

Resolution accepting and acknowledging a gift of \$36,455.17, provided to the City and County of San Francisco by Lucille and George Jewett, Jr., for the maintenance of the Permitted Lyon Street Garden during calendar year 1994, and thanking Lucille and George Jewett, Jr. for their generous and beneficial gift. (Supervisor Kaufman)

File 38-95-1, Resolution No. 220-95

Adopted.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[North Terminal Bookstore Lease]

Ordinance approving the "North Terminal Bookstore Lease" between Books, Inc. and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-95-4, Ordinance No. 84-95

Finally passed.

[Settlement of Litigation, Ralph Owens]

Ordinance authorizing settlement of litigation of Ralph Owens against the City and County by payment of \$11,000. (City Attorney)

File 45-95-7, Ordinance No. 85-95

(Superior Court No. 956-098.)

Finally passed.

[Settlement of Litigation, Mark Estrada]

Ordinance authorizing settlement of litigation of Mark Estrada against the City and County by payment of \$19,000. (City Attorney)

File 45-95-8, Ordinance No. 86-95

(Superior Court No. 947-989.)

Finally passed.

[Settlement of Litigation, Virginia N. Davies]

Ordinance authorizing settlement of litigation of City and County against Virginia N. Davies by accepting consideration in the total amount of \$6,000 payable in cash and releasing said person only from further liability. (Treasurer-Tax Collector)

File 46-95-3, Ordinance No. 87-95

(S.F. Municipal Court No. 112311.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

#### REGULAR CALENDAR

#### UNFINISHED BUSINESS

#### From the Clerk

Adopted

[Findings, 600 Van Ness Avenue]

Motion adopting findings related to the appeal of the City Planning Commission's approval of Conditional Use Application 92.179C, which authorized the construction of a 13-story mixed use residential/commercial building recognized as a Planned Unit Development, for property located at 600 Van Ness Avenue between Golden Gate Avenue and Elm Street, 550 Golden Gate Avenue and 556 Golden Gate Avenue, and adopting findings pursuant to City Planning Code Section 101.1 (Prop M). (Clerk of the Board)

File 037-95-001.5

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Kaufman, Kennedy, Shelley, Teng - 6.

Noes: Supervisors Ammiano, Bierman, Leal, Migden - 4.

Absent: Supervisor Hsieh - 1.

#### Recommendation of Budget Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$332,600, Police Department, for materials and supplies and equipment to purchase semi-automatic handguns, ammunition and a firearms training simulator; for fiscal year 1994-95. (Supervisors Kaufman, Alioto, Bierman, Teng)

File 101-94-64, Ordinance No. 78-95

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Noes: Supervisor Ammiano - 1.

Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Recommendation of Government Efficiency and Labor Committee

Finally Passed

[Campaign Finance Reform]

Ordinance amending Administrative Code, relating to campaign finance reform. (Supervisors Hallinan, Alioto, Ammiano, Bierman)

File 97-95-3, Ordinance No. 89-95

(Amends Sections 16.501, 16.502, 16.503, 16.505, 16.508, 16.509 and 16. 515;  
Adds Sections 16.510-1 through 16.510-6.)

Supervisor Kennedy, seconded by Supervisor Kaufman, moved to amend by adding the following language: "It is the intent of the board of Supervisors that this ordinance become effective starting with the General Municipal Election to be held in the City and County of San Francisco in November 1996." (All subsequent text of the current proposed ordinance to be deleted.)

--- Motion to amend refused adoption by the following vote:

Ayes: Supervisors Kaufman, Kennedy - 2.

Noes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisor Hsieh - 1.

The roll was then called on the pending legislation and it was finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Lease Renewals, Federal Aviation Administration]

Ordinance approving three FAA leases for certain space on the airfield at San Francisco International Airport between the United States of America and the City and County, acting by and through its Airports Commission; retroactive to July 1, 1994. (Airports Commission)

File 27-95-2, Ordinance No. 83-95

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

Adopted as Amended

[Medical Services Contract]

Resolution authorizing the Director of Public Health to execute an agreement, including indemnification, with the University of California, San Francisco, for the provision of medical services to Medi-Cal beneficiaries by Community Public Health Services clinic physicians. (Department of Public Health)

File 172-95-7, Resolution No. 196-95

(Fiscal Impact.)

(March 20, 1995 - consideration continued to March 27, 1995)

Supervisor Leal, seconded by Supervisor Kaufman, moved to amend page two, line three, after "physicians" by inserting ", provided that the contract be amended to require that all amendments to the contract must be approved by the Board of Supervisors".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

Recommendation of Select Committee on Municipal Public Power

Finally Passed

[Public power Report]

Ordinance amending Administrative Code, to require the Public Utilities Commission to prepare and transmit to the Board of Supervisors not later than June 30, 1996 a report regarding the municipalizing the electricity utilities distribution system in San Francisco; willful failure to discharge duties under this section deemed official misconduct. (Supervisors Alioto, Bierman)

File 97-95-4, Ordinance No. 90-95

(Adds Section 11.08.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Leal, Migden, Shelley, Teng - 8.

Noes: Supervisors Kaufman, Kennedy - 2.

Absent: Supervisor Hsieh - 1.

Recommendations of Housing and Land Use Committee

Finally Passed

[Voluntary Bicycle Registration]

Ordinance amending Traffic Code, to authorize the Police Department to administer a Voluntary Bicycle Registration Program and to collect an administrative fee of five dollars (\$5.00) for bicycle registration, to establish the Bicycle Registration Fund, and to require reporting of expenditures from the fund. (Police Commission)

File 124-94-15, Ordinance No. 81-95

(Adds Sections 109 through 109.4.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Residential Parking Permit for Businesses]

Ordinance amending Traffic Code, to require a business to present proof of a valid business tax registration certificate and payment of a business tax before being issued a residential parking permit. (Supervisors Kaufman, Leal)

File 124-94-16, Ordinance No. 82-95

(Amends Section 308.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Repeal Owner-Occupied Four Units or Less Exemption]

Ordinance amending Administrative Code, providing for notice of the repeal of the exemption from rent regulation for owner-occupied buildings containing four units or less. (Supervisors Migden, Teng)

File 109-95-2, Ordinance No. 88-95

(Adds Section 37.12(c))

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Consideration Continued

[Rent Control]

Ordinance amending Administrative Code, to prohibit the rent board from issuing rules that treat newly-created units differently than other units subject to rent control in determining whether rent increases are justified. (Supervisors Bierman, Teng)

File 109-95-3, Ordinance No.

(Amends Section 37.6.)

Supervisor Leal Excused from Voting

Supervisor Leal was previously excused from voting because of possible conflict of interest. (See Journal of Proceedings of March 20, 1995.)

Supervisor Bierman, seconded by Supervisor Kaufman, moved to continue consideration to April 10, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Excused: Supervisor Leal - 1.

Absent: Supervisor Hsieh - 1.

From Rules Committee "Without Recommendation"

Tabled

[Appointment, Chief Administrative Officer]

Resolution confirming and approving appointment of John Ertola as Chief Administrative Officer. (Rules Committee)

File 33-95-1, Resolution No.

(March 6, 1995 - consideration continued to March 27, 1995.)

The Clerk stated he received communication dated March 22, 1995 from the Mayor withdrawing the above nomination.

Thereupon, Supervisor Kennedy, seconded by Supervisor Teng, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

#### NEW BUSINESS

##### Recommendations of Budget Committee

Passed for Second Reading

[Vehicle Renter Tax Repeal]

Ordinance amending Part III of the San Francisco Municipal Code by deleting Section 1905 thereof to repeal the Vehicle Renter Tax and making the repeal operative as of July 1, 1995. (Supervisor Kaufman)

File 127-95-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

Adopted

[Parking Enforcement on Sundays]

Resolution urging the Mayor to preserve the Sunday parking reprieve in San Francisco. (Supervisors Leal, Shelley, Alioto)

File 190-95-1, Resolution No. 225-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

##### Recommendations of Rules Committee

Adopted

[Appointment]

Resolution appointing member to the Lead Hazard Reduction Citizen's Advisory Committee. (Rules Committee)

File 92-94-13, Resolution No. 215-95

(Doris Landry, Seat No. 26705, Child Care, vice Lucy Vela resigned, for unexpired portion of a four-year term ending June 25, 1997.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.



Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair so the President could participate in the debate from the floor.

Adopted

[Personal Responsibility Act]  
Resolution establishing the policy of the City and County of San Francisco to oppose the Federal Personal Responsibility Act (HR4). (Supervisors Shelley, Alioto, Leal, Ammiano, Hallinan, Bierman, Teng)

File 13-95-5, Resolution No. 218-95

June 25, 1997.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisors Hallinan, Bierman, Teng requested to be added as co-sponsors.

The President resumed the Chair.

[Appointments, Central Freeway]  
Resolution appointing members to the Citizens Advisory Task Force for the Central Freeway; and making findings waiving residency requirement for David Klein. (Rules Committee)

File 92-95-4.2, Resolution No. 221-95

(David Klein (The Sunset), term indefinite;  
Stephen L. Taber (The Haight), term indefinite;)  
Linda Salas (The San Francisco Transportation Authority  
Citizens' Advisory Committee), term indefinite;  
Michelle Brant (Community At-Large), term indefinite;  
David Heller (Community At-Large), term indefinite;  
Lonnie Lawson (Community At-Large), term indefinite;  
Tom Radulovich (Community At-Large), term indefinite.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Appointments, Task Force on the Central Freeway]  
Resolution appointing members to the Citizens Advisory Task Force for the Central Freeway. (Rules Committee)

File 92-95-10, Resolution No. 222-95

(Richard Audell Johnson (Seat No. 26305 - resident Hayes Valley/Western Addition), vice Russel Pritchard, resigned, for term indefinite;

Frances Marie DeNoto, (Seat No. 26308 - resident Hayes Valley/Western Addition), vice Diane Dragone, resigned, for term indefinite.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Appointment]

Resolution appointing member to the Assessment Appeals Board. (Rules Committee)

File 92-95-13, Resolution No. 223-95

(Jackson Wong, Seat No. 21012 - Alternate Member/Hearing Officer Board #2, vice Elizabeth McQuiston resigned, for unexpired portion of one-year term ending September 30, 1995.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Charter Reform Meetings Outside City Hall]

Motion directing the Select Committee on Charter Reform to hold three additional public hearings outside City Hall. (Supervisors Kaufman, Teng)

File 54-95-5.01

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Management Audit, Airport Financial Surplus]

Motion directing the Board of Supervisors Budget Analyst to conduct a report of the San Francisco International Airport to determine the financial surplus at the Airport and the amount of money, if any, from that surplus which may be available to the general fund. (Supervisors Shelley, Teng)

File 165-95-002

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Appointment of President Pro Tempore

At the request of the President, Supervisors Bierman, Kennedy, Hallinan and Migden assumed the Chair at various times during the meeting so the President could participate in the debate from the floor.

SPECIAL ORDER - 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to confirmation and approval of William Lee as Chief Administrative Officer.

File 33-95-3

Supervisor Kaufman, seconded by Supervisor Bierman, moved that the Board resolve itself into a Committee of the Whole.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

The Clerk indicated that a communication dated March 22, 1995 was received from the Mayor nominating Mr. William Lee as Chief Administrative Officer. (See supra.)

The privilege of the floor was granted to the following persons:

Bill Lee; Ben L. Hom; Margaret Verges; Ramona Albright; Milton Mark's letter read; Michael Alexander; Linda Burns; Willie Maedow; Al Williams; Sam Murray; Carmen White; Bob Reinhart; Joan; Corin Woods; Calvin Welch; Neil Kendall; Debra Stein; Karen Huggins; Espanola Jackson; Ossie May Roberts; Henry Der.

Supervisor Shelley, seconded by Supervisor Alioto, moved that the Committee of the Whole rise and report without recommendation.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

#### Board of Supervisors in Legislative Session

##### Adopted

[Appointment, Chief Administrative Officer]  
Resolution confirming and approving appointment of William Lee as Chief Administrative Officer. (Supervisor Shelley)

File 33-95-3, Resolution No. 219-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

The President resumed the Chair.

#### PUBLIC COMMENT

The privilege of the floor was granted to the following person:

Leboriae P. Smoore, marijuana for medicinal use.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

#### FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

#### Severed from For Adoption Without Committee Reference Calendar

Supervisor Leal requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Access Appeals Commissioners]  
((Resolution opposing Building Inspection Commission's removal of two commissioners currently serving four-year term appointments.)) (Supervisors Leal, Kennedy)

Resolution urging Mayor to urge the members of the Building Inspection Commission to allow Commissioners Adams and Stables to serve out their four year term appointments.

File 228-95-001, Resolution No. 266-95

Supervisor Leal, seconded by Supervisor Migden, moved an amendment of the whole entitled, "Resolution urging Mayor to urge the members of the Building Inspection Commission to allow Commissioners Adams and Stables to serve out their four-year term appointments."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hallinan, Hsieh - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hallinan, Hsieh - 3.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Trial Court Funding, 1995-96]

Resolution electing to become subject to the provisions of the State Trial Court Funding program for the period of July 1, 1995 through June 30, 1996. (Supervisors Shelley, Hsieh)

File 187-95-001, Resolution No. 224-95

Adopted.

[Cities for Climate Protection Campaign]

Resolution supporting San Francisco's participation in the Cities for Climate Protection Campaign. (Supervisor Shelley)

File 229-95-001, Resolution No. 227-95

Adopted.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Migden)

File 030-95-001.05

Adopted.

[Final Map, 2011 Market Street]

Motion approving final map of 2011 Market Street, a Condominium Project, being a resubdivision of Lot 9 in Assessor's Block 3535, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 058-95-008

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hallinan, Hsieh - 3.

IMMEDIATE ADOPTION CALENDAR

Adopted

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-12, Resolution No. 198-95

(Barbara Kaufman, member, Board of Supervisors, March 30 - April 2; Mabel Teng, member, Board of Supervisors, April 5 - 7; Michael Hennessey, Sheriff, April 3 - 10; Edwin M. Lee, Director, Human Rights Commission, March 30 - April 3, 1995.)

Adopted.

[Proclamation of Local Emergency]

Motion concurring in the determination by the Mayor of the necessity for declaring a local emergency as a result of the recent storms and requesting the Governor to proclaim the City and County of San Francisco to be a disaster area and the President to declare that said City and County be included as part of the federally declared disaster area for the California winter storms of 1995. (Supervisor Shelley)

File 270-95-003

The following is the text of the Mayor's Proclamation of Emergency:

PROCLAMATION OF EMERGENCY

Proclamation of Existence of a Local Emergency  
and request from the Governor to  
Proclaim a State of Emergency in the City and  
County of San Francisco

Whereas, The Charter of the City and County of San Francisco (Section 3.100) empowers the Mayor in his capacity as the Commander of Emergency Services to proclaim the existence or threatened existence of a local emergency when said City and County is affected or likely to be affected by a public calamity and the Board of Supervisors is not in session; and

Whereas, The Commander of Emergency Services of the City and County of San Francisco does hereby find:

That the storms which struck California during 1995 have caused severed damage to private property and to key elements of the infrastructure of the City and County of San Francisco and thereby created conditions which have or which may imperil the safety of persons and property in said City and County.

Now therefore, it is hereby proclaimed that a local emergency now exists throughout said City and County; and

It is further proclaimed and ordered that during the existence of the local emergency the powers, functions and duties of the emergency organization of this City and County shall be those prescribed by the laws of the State of California, and by applicable ordinances and official resolutions of the City and County of San Francisco.

Now, therefore, it is hereby declared and ordered that a copy of this declaration be forwarded to the Governor of the State of California through the Director of Emergency Services of the state with a request that he proclaim the City and County of San Francisco to be a disaster area; and further that the Governor request the President of the United States to declare that said City and County be included as a part of the federally declared disaster area for the California winter storms of 1995.

It is further ordered, that a copy of this declaration be immediately forwarded to the Director of the Mayor's Office of Emergency Services.

Dated: 3/22/95

Frank M. Jordan  
Mayor

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 7.

Absent: Supervisors Alioto, Bierman, Hallinan, Hsieh - 4.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board adopted the following motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board find by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Kennedy, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Migden, Shelley, Teng - 7.

Absent: Supervisors Alioto, Hallinan, Hsieh, Leal - 4.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Kennedy, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Migden, Shelley, Teng - 7.

Absent: Supervisors Alioto, Hallinan, Hsieh, Leal - 4.

Adopted

[Commend Peter Ashe]

Resolution commending Peter D. Ashe for his fifteen years as a trustee of the Retirement Board and his dedicated service to the citizens of the City and County for the past forty-two years as a loyal City and County employee.

File 006-95-027, Resolution No. 202-95

Supervisor Alioto presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Migden, Shelley, Teng - 7.

Absent: Supervisors Alioto, Hallinan, Hsieh, Leal - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Appropriation, Recreation and Park]

Ordinance appropriating \$325,000, Recreation and Park Department from the Special Revenue Fund (rent credit from the San Francisco 49ers) to make capital improvements to Candlestick Park. Supervisor Kaufman presented. Referred to Budget Committee.

File 101-94-089.

[City Seal]

Substitute ordinance amending Administrative Code by adding Section 1.6-A, authorizing the Clerk of the Board, upon the recommendation of the Chief Administrative Officer, to approve the use of the City seal on items proposed by the Chief Administrative Officer, and allowing items with the approved use of the City seal to be offered for sale by the City and County. Supervisors Leal, Alioto presented. Referred to Government Efficiency/Labor Committee.

File 097-95-005.

[Major League Team Professional Athlete]

Ordinance amending Administrative Code by adding Section 6.61 to require that all contracts and leases between the City and County and professional, major league sports teams including a provision that requires such teams to use major league quality athletes. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee with request it be considered at the April 11, 1995 meeting.

File 097-95-013.

[Home Ownership Assistance Fund]

Ordinance amending Administrative Code Section 10.117-76 to allow monies from the Home Ownership Assistance Loan Fund to be loaned to nonprofit corporations for (i) the purchase of housing units for resale to low and moderate income households and (ii) curing defaults on senior loans on housing units which have received secondary city financing; and to designate the Mayor's Office of Housing, or its successor, as the administrator of that fund. Supervisor Ammiano presented. Referred to Budget Committee.

File 097-95-014.

[Business Improvement District]

Ordinance amending Part III, Municipal Code, by enacting a new Article 15 (Sections 1510 through 1591) which would authorize property owners to petition the Board of Supervisors to form business improvement districts and authorize the Board of Supervisors, by specified procedures, to form one or more business improvement district(s) and to levy business improvement assessments on property within such districts. Supervisor Kaufman presented. Referred to Economic Vitality/Social Policy Committee with request it be considered at the April 4, 1995 meeting.

File 127-95-002.

Referred to Board

[Liquor License Moratorium]

Resolution extending Interim Zoning Controls to prohibit introduction of additional establishments, or any expansion of existing establishments, selling alcoholic beverages in the area generally bounded by Fourteenth Street, Army Street, Potrero Avenue and Guerrero Street. Supervisors Leal, Shelley, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar April 3, 1995.

File 111-93-001.02.

[Proclaim Public Health Week]

Resolution proclaiming April 3-9, 1995 as "Public Health Week". Supervisors Alioto, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar April 3, 1995.

File 004-95-003.

[State Legislation, AB 629]

Resolution memorializing the California Legislature and Governor to enact Assembly Bill 629 which would ban the Saturday Night Special and urging the Mayor to direct the City's State lobbyist to work for its enactment. Supervisors Kaufman, Kennedy, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar April 3, 1995.

File 012-95-010.

[State Legislation, AB 630 and AB 631]

Resolution memorializing the California Legislature and Governor to enact Assembly Bill 630 and AB 631 which imposes safe storage responsibility on gun owners; urging the Mayor to direct the City's lobbyist to work for its enactment. Supervisors Kaufman, Kennedy, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar April 3, 1995.

File 012-95-011.



[State Legislation, AB 632]

Resolution memorializing the California Legislature and Governor to enact Assembly Bill 632 which would make illegally carrying concealed firearms a felony and not the current misdemeanor; urging the Mayor to direct the City's lobbyist to work for its enactment. Supervisors Kaufman, Kennedy, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar April 3, 1995.

File 012-95-012.

[State Legislation, AB 633]

Resolution memorializing the California Legislature and Governor to enact Assembly Bill 633 which would provide for the mandatory destruction of confiscated weapons; urging the Mayor to direct the City's lobbyist to work for its enactment. Supervisors Kaufman, Kennedy, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar April 3, 1995.

File 012-95-013.

[State Legislation, AB 634]

Resolution memorializing the California Legislature and Governor to enact Assembly Bill 634 which would permit local governments to enact ordinances regulating the manufacture, sale, purchase, use or possession of firearms; urging the Mayor to direct the City's lobbyist to work for its enactment. Supervisors Kaufman, Kennedy, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar April 3, 1995.

File 012-95-014.

[State Legislation, SB 1257]

Resolution opposing SB 1257 concerning state preemption of local rent stabilization ordinances and urging the Mayor to direct the City's lobbyist to urge the State Legislature to oppose SB 1257. (Supervisors Alioto, Bierman) Referred to Board for Adoption Without Committee Reference Calendar April 3, 1995.

File 012-95-015.

[Headwaters Forest]

Resolution calling upon the Governor to direct the California Department of Forestry and Fish and Game for the immediate withdrawal of any plans to log the ancient redwoods in the Headwaters Forest in Humboldt County, California; to institute a permanent moratorium on logging in said site and encouraging all efforts to obtain public ownership of the ancient redwood groves. Supervisor Hallinan presented. Referred to Board for Adoption Without Committee Reference Calendar April 3, 1995.

File 012-95-016.

[Richmond/Sunset Water Pollution Control]

Resolution urging the Mayor to request the Recreation and Park Department and the Department of Public Works to delay issuing a request for bids for the demolition of the Richmond/Sunset Water Pollution Control Plant (RSWPCP) which consists of City owned surplus buildings on four acres of land in the southwest corner of Golden Gate Park. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar April 3, 1995.

File 053-95-001.

[Litigation, Historic Preservation, AB 133]

Resolution urging the City Attorney to join lawsuit to invalidate AB 133 concerning special exemption to religious organizations from local historic preservation ordinances. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar April 3, 1995.

File 194-95-001.

Referred to Committee

[Fire Department Consent Decree]

Resolution urging the Mayor, Fire Commission and Fire Department to agree to extension of the Federal Consent Decree. Supervisors Teng, Ammiano, Kennedy, Alioto presented. Referred to Government Efficiency/Labor Committee.

File 208-95-002.

[Fire Department Division One]

Resolution urging the Mayor, Fire Commission and Fire Department to immediately reactivate and maintain

Fire Division One and advance integration of the Fire Department in line with the goals and terms of the Federal Consent Decree. Referred to Government Efficiency/Labor Committee.

File 208-95-003.

[Funding, Domestic Violence Intervention]

Resolution urging the Mayor to adopt the request submitted by the Commission on the Status of Women to increase city funding by \$247,928 needed for domestic violence intervention. Supervisors Hallinan, Kennedy, Alioto, Teng, Shelley presented. Referred to Budget Committee.

File 242-95-002.

Referred to Board

[Presidio]

Resolution establishing the policy of the City and County of San Francisco to continue to support the Presidio as a National Park. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar April 3, 1995.

File 244-95-002.

[Appeal, Electric Power to Presidio]

Resolution urging the Mayor to urge the Public Utilities Commission to request that the City Attorney's Office immediately file an appeal in Federal Court to overturn the National Park Service's award to Pacific Gas and Electric Company to provide electrical power to the Presidio. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar April 3, 1995.

File 244-95-003.

Requests for Hearings:

[Release of Reserve Funds]

Hearing to consider release of \$365,164 for various aspects of community education and interim control activities relating to lead hazard reduction/primary prevention program. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at the April 11, 1995 meeting.

File 068-94-010.01.

[Tobacco Use by Teenagers]

Hearing to consider the reported increase in tobacco use among teenagers in San Francisco. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 030-95-007.

[General Assistance Direct Rent Payment]

Hearing to consider the manner in which the Department of Social Services intends to implement Proposition N, the General Assistance Mandatory Direct Rent Payment Program, and the impact such implementation will have on the budget of the City and County, as well as the extent to which acceptable single resident occupancy hotel rooms are available. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee.

File 107-95-001.

[Port Tunnel Project]

Hearing to consider the decision by the Port Commission to not proceed with the pursuit of \$8 million in federal funds allocated for the purpose of accommodating double-stack trains and handling container traffic between San Francisco and the East Bay. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee.

File 173-95-001.

[HOPE VI Public Housing Funds]

Hearing to consider the decision by the Housing Authority Commission to table the application to apply for \$400,000 HOPE VI planning grant for the North Beach development in public housing and the application to apply for \$30 to \$50 million HOPE VI implementation grant for the Potrero Terrace/Potrero Annex public housing developments. Supervisors Hallinan, Alioto presented. Referred to Government Efficiency/Labor Committee.

File 206-95-002.

[Domestic Violence]

Hearing to consider the policies and procedures of the Police Department relating to domestic violence and the response of the police officers to domestic violence victims. Supervisors Kennedy, Alioto, Bierman, Hallinan, Teng, Ammiano, Shelley presented. Referred to Economic Vitality/Social Policy Committee.

File 207-95-006.

[Public Power]

Hearing to consider issues regarding the municipalization of public power. Supervisor Alioto presented. Referred to Select Committee on Municipal Public Power.

File 285-95-003.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-95-010. [Settlement of Litigation, Tina Milla Sosa] Ordinance authorizing settlement of litigation of Tina Milla Sosa against the City and County of San Francisco by payment of \$10,000. (Superior Court No. 963-609). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 101-94-082. [Appropriation, Public Defender] Ordinance appropriating \$452,624, Public Defender, from the General Fund Reserve to salaries and fringe benefits for the reduction of salary savings and creation of three (3) positions for fiscal year 1994-95; companion measure to File 102-94-13. RO #94204 (Controller) Referred to Budget Committee.

File 101-94-083. [Appropriation, Department of Public Health-SFGH] Ordinance appropriating \$20,000,000, Department of Public Health, San Francisco General Hospital, to participate in the SB 1255 Disproportionate Share Payment Program through the California Medical Assistance Commission during fiscal year 1994-95; funded from Disproportionate Share Program Revenues. RO #94211 (Controller) Referred to Budget Committee.

File 101-94-084. [Appropriation, Board of Supervisors] Ordinance appropriating \$149,520, Board of Supervisors, from the General Fund Reserve to professional services to allow the Budget Analyst to conduct "Zero Base" Budget Analysis of various City Departments for fiscal year 1994-95; providing for ratification of action previously taken. RO #94128 (Controller) Referred to Budget Committee.

File 101-94-085. [Appropriation, Trial Courts] Ordinance appropriating and rescinding \$405,564, Trial Courts, from salaries and fringe benefits to create three (3) positions and pay fees of attorneys and expert witnesses for fiscal year 1994-95. RO #94199 (Controller) Referred to Budget Committee.

File 101-94-086. [Appropriation, Fire Department] Ordinance appropriating \$652,000, Fire Department, of 1992 Fire Protection Bond proceeds for Capital Improvement Project (design of new 911 Dispatch Center and Fire Station 41) for fiscal year 1994-95; subject of previous budgetary denial. RO #94202 (Controller) Referred to Budget Committee.

File 101-94-087. [Appropriation, Department of Public Works] Ordinance appropriating and certifying \$26,364, Department of Public Works, for capital Improvement Project (sewer repair) to cover ten percent coverage as per Charter Section 7.203, providing for ratification of action previously taken, for fiscal year 1994-95. RO #94200 (Controller) Referred to Budget Committee.

File 101-94-088. [Appropriation, Juvenile Probation Department] Ordinance appropriating \$1,415,990, Juvenile Probation Department, of Federal Subvention Revenue for facilities maintenance at the Youth Guidance Center and Log Cabin Ranch for fiscal year 1994-95. RO #94196 (Controller) Referred to Budget Committee.

File 102-94-014. [Public Employment, Superior Court, 3 Positions] Ordinance amending Ordinance No. 293-94 (Annual Salary Ordinance, 1994-95), Superior Court, reflecting the addition of three positions (Classification 0676 Research Assistant (1), 0697 Judicial Clerk (2)). (Department of Human Resources) Referred to Budget Committee.

File 115-95-001. [Planning Code Amendment, Mailed Notice] Ordinance amending Planning Code by amending Section 306.3 to exempt major zoning map reclassifications from mailed notice requirements if such reclassifications are part of a general zoning study and cover 30 acres or more. (Planning Department) Referred to Housing and Land Use Committee.

Resolutions Referred to Committee

File 11-95-1 [Japan Peace Plaza - Western Addition A-1] Substitute resolution adopting a finding pursuant to California Redevelopment Law that authorizes the transfer of \$600,000 to the Department of Public Works to partially fund the renovation of the Peace Plaza in the Japanese Cultural and Trade Center. (Redevelopment Agency)

File 025-95-004. [Contract Out, Janitorial Services, 25 Van Ness] Resolution concurring with the Controller's certification that janitorial services for 25 Van Ness Avenue can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 048-95-006. [Settlement of Claims, Geico Insurance Company] Resolution approving the settlement of the unlitigated claim of Geico Insurance by payment of \$13,000. (Also see File 48-95-1.) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 079-95-003. [Addendum One, 1995 Community Development Program] Resolution approving an amendment to the 1995 Community Development Program and authorizing the Mayor, on behalf of the City and County of San Francisco to receive, and expend \$2,818,000 in additional entitlement funds and transfer \$182,000 from contingencies under the City's 1995 Community Development Block Grant (CDBG) Program from the U.S. Department of Housing and Urban Development, approving Addendum 1 to the expenditure schedule for recipient departments and agencies and for indirect costs, and, determining no environmental evaluation is required, authorizing the receipt and deposit in contingencies of 1995 CDBG entitlement funds in excess of \$26,984,000. (Mayor's Office of Community Development) Referred to Budget Committee.

File 089-95-001. [SDI Coverage, 1237 Training Coordinator] Resolution authorizing enrollment of Classification 1237 Training Coordinator, into the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 096-95-002. [Surplus Books and Materials, Public Library] Resolution authorizing the San Francisco Public Library to redistribute surplus books and materials to qualified applicants who meet specific criteria. (Public Library) Referred to Government Efficiency/Labor Committee.

File 147-95-001. [State Grant - Project Read] Resolution authorizing the City Librarian to apply retroactively for, accept and expend funds not to exceed \$57,443 that include indirect costs of five percent available from the California State Library for Student/Tutor Support and Outreach Services. (Public Library) Referred to Government Efficiency/Labor Committee.

File 152-95-001. [1995-96 Standards/Training, Local Corrections] Resolution authorizing the Sheriff's Department, Adult Probation Department, and Juvenile Probation Department of the City and County of San Francisco to apply for, accept and expend \$334,390 in funds from the State of California Board of Corrections for the Standards and Training of Local Corrections and Probation Officers Programs; stipulating adherence to standards of recruitment and training established by the Board of Corrections, waiving indirect costs. (Sheriff) Referred to Government Efficiency/Labor Committee.

File 172-94-032.01. [Shared Medical Systems Contract Amendment] Resolution authorizing the Director of Public Health to execute an amendment to the Information Systems Agreement between the City and County of San Francisco and Shared Medical Systems Corporation dated August 31, 1994. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 172-95-015. [Workers Compensation Treatment Facility] Resolution authorizing the Director of Public Health to execute a Sub-contract, including indemnification with the University of California for a Worker's Compensation Treatment Facility pursuant to a contract between the Department of Public Health and the Department of Human Resources. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Migden, that Budget Analyst report on the status of the Mission Driven Budget as follows: will a mission driven budget be in place by fiscal year 1995-96, are departments prepared to carry out the goals of a mission driven budget, are departments identifying incentives to save the City money, are they prioritizing services, are they prepared to determine the costs of programs.

By Supervisor Hallinan, that City Attorney take appropriate action to enforce the terms of the City and County agreement with the San Francisco Giants, to ensure that maximum revenue accrues to the City and County from said agreement and whether the use of replacement players is in violation of said agreement.

By Supervisor Hallinan, that City Attorney prepare draft initiative ordinance placing the recently enacted campaign finance reform ordinance on the November 1995 ballot for confirmation by the voters.

By Supervisor Hallinan, that letter of inquiry be sent to the San Francisco Port Commission to determine whether the proposed Cargo Way lease with AES can be postponed until after April 14, 1995, upon which date the California Energy Commission will issue its Preliminary Staff Assessment, which

will provide important new information on the potential environmental impact of the proposed power plant in Bayview Hunters Point with a request that the Port Commission respond by April 3, 1995.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Ilar Williams (Supervisor Kennedy)  
Susan Crandle (Supervisor Kennedy)  
Pearl Gray (Supervisor Kennedy)  
Lee Jones (Supervisor Kennedy)  
Ruth Butler (Supervisor Kennedy)  
John Roach (Supervisor Alioto)  
Donna Solomon (Supervisor Kaufman)  
Betsy Lehman (Supervisor Leal)

File 2-95-12

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:26 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 8, 1995.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



Monday, April 3, 1995

# **Journal of Proceedings**

*The Minutes of the*

# **Board of Supervisors**

City and County of San Francisco

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Volume 90

Number 13





BOARD OF SUPERVISORS

Monday, April 3, 1995 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:11 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Noted absent at first roll call:

Supervisors Alioto, Hsieh, Kennedy - 3.

Quorum present.

Supervisor Alioto was noted present at 2:18 p.m.

Supervisor Hsieh excused. (See infra.)

Supervisor Kennedy excused. (See infra.)

Supervisors Hsieh and Kennedy Excused

The Clerk stated that Supervisors Hsieh and Kennedy requested to be excused from attending today's meeting because of illness.

Thereupon, Supervisor Leal, seconded by Supervisor Teng, moved to excuse Supervisors Hsieh and Kennedy.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hsieh, Kennedy - 3.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Kaufman, seconded by Supervisor Leal, moved that the Journal of Proceedings for Wednesday, February 1, 1995, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hsieh, Kennedy - 3.

COMMUNICATION

The Clerk presented the following communication from the Mayor:

March 31, 1995

The Honorable Kevin Shelley  
President, Board of Supervisors  
City and County of San Francisco  
Interim City Hall, 3rd Floor  
San Francisco, CA 94102

Dear Supervisor Kevin Shelley:

Monday, April 3, 1995

I am returning with my veto the Board's resolution determining that the relocation of the Motherlode Bar will serve the convenience and necessity of the people of San Francisco (File 223-95-1).

There are statements made in the resolution that are in dispute. The files of the San Francisco Police Department indicate that the Motherlode has historically created public safety problems in neighborhood. The Police Department does not support moving the license to the proposed location.

In 1994 there were 300 arrests for prostitution in and around the bar. Save Our Streets, the Polk Street District Merchants Association, the Guardian Angels, and others are strongly opposed to this move and disagree that the Motherlode has been a good neighbor. They further feel that the new, larger location will increase the type and severity of problems experienced by the neighborhood.

Additionally, in 1994 there were three citations issued for excessive noise. The new location is in closer proximity to residential housing than the current location. The impact on these residents is not known, and the bar should not be moved until those who will live closest to it are satisfied that their quality of life will not diminish.

Sincerely,

Frank Jordan  
Mayor

#### Consideration Continued

[Motherlode Bar Relocation]

Resolution determining that relocation of the Motherlode Bar from 1002 Post Street to 1035 Post Street will serve the convenience and necessity of the people of the City and County, in accordance with Sections 23958 and 23958.4(b)(1) of the California Business and Professions Code. (Supervisors Hallinan, Teng)

File 223-95-001

The Clerk stated that, under Rule 2.9a of the Rules of Order of the Board of Supervisors, when the Mayor returns legislation to the Board with his disapproval, the Board shall not reconsider the legislation until the first meeting after the message from the Mayor is read to the Board.

Consideration continued to April 10, 1994.

#### CONSENT CALENDAR

##### Recommendations of Budget Committee

Finally Passed

[Appropriation, Department of Parking and Traffic]

Ordinance appropriating \$173,610, Department of Parking and Traffic, of Parking Revenue Funds to a Capital Improvement Project (Polk-Bush Garage architectural services and construction), for fiscal year 1994-95; providing for ratification of action previously taken. (Controller)

File 101-94-61, Ordinance No. 91-95

Finally passed.

[Vehicle Renter Tax Repeal]

Ordinance amending Part III of the San Francisco Municipal Code by deleting Section 1905 thereof to repeal the Vehicle Renter Tax and making the repeal operative as of July 1, 1995. (Supervisor Kaufman)

File 127-95-1, Ordinance No. 92-95

Finally passed.

Adopted

[Moscone Center Parking Garage Rates]

Resolution approving new evening rates at the Moscone Center Garage. (Department of Parking and Traffic)

File 47-95-7, Resolution No. 239-95

Adopted.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Settlement of Litigation, Nicole Abagnaro]

Ordinance authorizing settlement of litigation of Nicole Abagnaro against the City and County of San Francisco for \$225,000. (Supervisor Hallinan)

File 45-95-9, Ordinance No.

(San Bernardino Superior Court No. SCV 04291.)

Passed for second reading.

[Settlement of Litigation, Pleasant Hill Cremation]

Ordinance authorizing settlement of litigation against defendant College Chapel Mortuary of a class action entitled In Re: Pleasant Hill Cremation Cases, with defendant paying \$100,000 into a settlement trust account. (City Attorney)

File 46-95-4, Ordinance No.

(S.F. Superior Court No. 943703)

Passed for second reading.

Adopted

[Settlement of Claim, Allison Fisher]

Resolution approving the settlement of the unlitigated claim of Allison Fisher by payment of \$60,000. (City Attorney)

File 48-95-5, Resolution No. 241-95

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hsieh, Kennedy - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Housing and Land Use Committee

Adopted as Amended

[Embarcadero-Lower Market Redevelopment Project]

Resolution urging the Redevelopment Agency to take steps necessary to amend the Embarcadero-Lower Market (Golden Gateway) Redevelopment Project Plan to (1) expand the project area boundaries to include properties formerly occupied by the Embarcadero Freeway System and (2) expand the activities of the Redevelopment Project to facilitate the development of Block 203 and portions of Block 202 and improvement of the Mid-Embarcadero open space and in a timely fashion. (Supervisors Teng, Bierman, Kaufman, Alioto).

File 73-95-1, Resolution No. 242-95

(March 20, 1995 - Consideration continued to April 3, 1995.)

Supervisor Leal, seconded by Supervisor Kaufman, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

In connection with the above item, Supervisors Teng, Bierman, Kaufman, Alioto requested to be added as co-sponsors.

#### NEW BUSINESS

##### Recommendations of Budget Committee

##### Passed for Second Reading

[Appropriation, Department of Public Health]

Ordinance appropriating \$29,124,382 in Medi-Cal revenues for San Francisco General Hospital's participation in the SB 855 Disproportionate Share Payment Program for fiscal year 1994-95, providing \$12,282,331 for 1995-96 Budget Reserve, includes revenue transfer to the General Fund and SB 855 match in other non-personal services. (Supervisor Alioto)

File 101-94-72, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Appropriation, Department of Public Health]

Ordinance appropriating \$4,467,295 in Medi-Cal Revenues and \$1,149,131 from the General Fund Service for San Francisco General Hospital's participation in the SB 855 Disproportionate Share Payment Program for fiscal year 1994-95. (Includes revenue transfer to the General Fund and SB 855 match in other non-personal services). (Supervisor Alioto)

File 101-94-73, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Appropriation, Department of Electricity and Telecommunications]

Ordinance appropriating \$497,465, Department of Electricity and Telecommunications, from the General Fund Reserve, for transfer to the 1994 Citywide Radio Communications System Fund, for fiscal year 1994-95 (provides General Fund support pending bond sale); providing for ratification of action previously taken. (Controller)

File 101-94-75, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Appropriation, Chief Administrative Officer]

Ordinance appropriating \$32,117,349, \$15,700,965, Chief Administrative Officer, from Lease Revenue Bond proceeds and \$16,416,384 from the Convention Facilities Fund, for debt service and capital improvements to the Moscone Center and the Children's Center for fiscal year 1994-95; placing \$22,973,794 on reserve. (Supervisor Bierman, Teng)

File 101-94-76, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Appropriation, Real Estate Department]

Ordinance appropriating \$198,251, Real Estate Department, from the General Fund Reserve for salaries, fringe benefits, other non-personal services, materials and supplies and equipment to provide security services at 875 Stevenson Street and the War Memorial Building for fiscal year 1994-95 (includes revenue transfer to the War Memorial Special Fund); placing \$10,530 on reserve. (Controller)

File 101-94-79, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Cash Revolving Fund-Sheriff]

Ordinance amending Administrative Code, increasing the Sheriff's Cash Revolving Fund from \$4,800 to \$6,000. (Sheriff Department)

File 97-95-9, Ordinance No.

(Amends Section 10.164.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

Adopted

[Emergency Repair]

Resolution authorizing the Fire Department to take necessary measures to protect the health and safety of the citizens of San Francisco by performing the necessary work to repair the auxiliary water supply system (AWSS) main break on Seventh Street, between Townsend and Brannan Streets. (Fire Department)

File 28-95-4, Resolution No. 238-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

From Budget Committee Without Recommendation

Passed for Second Reading

[Appropriation, Airports]

Ordinance appropriating \$8,568,551, Airport, of interest earnings from various Capital Improvement Project Funds of the Airport to Capital Improvement Projects (expand electrical sources to the Airport and support Master Plan Projects) for fiscal year 1994-95. (Controller)

File 101-94-74, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Airport Lease, Philippine Airlines]  
Ordinance approving retroactively, Modification No. 3 of Lease and Use Agreement between Philippine Airlines, Inc. and the City and County, acting by and through its Airports Commission effective February 7, 1995. (Airports Commission)

File 27-95-6, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

Adopted

[MOU, Staff and Per Diem Nurses]  
Resolution ratifying Memorandum of Understanding with SEIU Local 790 for Staff and Per Diem Nurses for the time period of May 1, 1994 through April 30, 1996. (Department of Human Resources)

File 93-95-1, Resolution No. 243-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

Passed for Second Reading

[Salary Ordinance, Staff Nurses]  
Ordinance adjusting and fixing schedules of compensation, effective July 1, 1994, to be paid under the provisions of Charter Section 8.403 to employees occupying classifications: 2320 Registered Nurse, 2323 Clinical Nurse Specialist, 2330 Anesthetist, 2340 Operating Room Nurse, 2830 Public Health Nurse, 2328 Nurse Practitioner and PI03 Special Nurse; continuing by reference the incorporation of a Memorandum of Understanding between the City and County and SEIU Local 790 (Staff Nurses) which established conditions and benefits of employment other than wages for said classifications; companion measure to File 93-95-1. (Department of Human Resources)

File 103-95-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

Adopted

[Moscone Center Garage License Agreement]  
Resolution accepting Hawthorne Street Restaurant Partners, a California Limited Partnership, as licensee of certain parking spaces at the Moscone Center Garage. (Real Estate Department)

File 47-95-8, Resolution No. 240-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Grant, Homeless Prevention/Childcare Program]  
Resolution authorizing the Department of Social Services to apply for retroactively, accept, and expend a Federal grant in the amount of \$1,281,510 from the U.S. Department of Housing and Urban Development for the period of July 1, 1995 through June 30, 1998, to establish a Homeless Prevention Family Support Center and Childcare Program to provide centralized access to emergency and support services, and housing for families who are homeless or are at-risk of homelessness; waiving indirect costs; placing \$647,910 on reserve. (Supervisor Alioto, Teng)



File 153-95-1, Resolution No. 245-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Joint Powers Agreement, San Mateo County]

Resolution approving Joint Powers Agreement with San Mateo County to perform environmental study for the San Francisco Water Department's Lower Crystal Springs Dam Abutment Protection Project and San Mateo County's Bridge Replacement Project. (Public Utilities Commission)

File 172-95-9, Resolution No. 246-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Hold Harmless Agreement, Port - BCDC]

Resolution authorizing the Port to hold the Bay Conservation and Development Commission harmless for claims arising for temporary improvements on the Embarcadero Roadway for construction of the Muni Metro Turnback. (Port)

File 172-95-10, Resolution No. 247-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Grant, Hazard Elimination Safety Program]

Resolution authorizing the Executive Director of the Department of Parking and Traffic to apply for, retroactively, accept and expend up to \$1,315,000 in Federal funds for the installation of raised pavement markers at various locations; for the street light upgrade at Dewey Circle; for the installation of impact attenuators at Geary and Webster Streets; for the lowering of Evans Avenue east of Mendell Street; for the widening of Fulton Street between Arguello Boulevard and Stanyan Street; and for the grooving of the pavement on portions of O'Shaughnessy, Sunset and Laguna Honda Boulevards, foregoing reimbursement of indirect costs; placing \$840,000 on reserve. (Department of Parking and Traffic)

File 192-95-2, Resolution No. 248-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to decision of City Planning Commission by its Motion No. 13820, dated February 2, 1995, disapproving Conditional Use Application No. 94.538C, for conditional use authorization to establish an automobile wrecking operation (as defined by Code Section 225(P) in an M-2 (Heavy Industrial) District on property located at 50 Quint Street, Lot 1 in Assessor's Block 5201.

File 37-95-2

(Appeal filed March 6, 1995.)

(Categorically exempt from Environmental Review under Section 15301, Class 1; Existing Facilities Guidelines.)

The following persons were sworn in and granted privilege of the floor:

Appellants:

Joseph Mark Thompson; Arlo Hale Smith.

Respondents:

Bob Passmore, representing Department of City Planning and City Planning Commission; Espanola Jackson; Charlie Walker; Virginia Conway; Julie Malare; Bob Craft; Evans and Brown Company representative; Mr. Cardellie; Mitch; Homeowners Association representative.

A rebuttal period was allowed.

The President then declared the hearing closed.

(Only one of the following two motions should be adopted.)

Adopted

[Zoning Appeal]

Motion approving decision of the City Planning Commission by its Motion 13820, disapproving Conditional Use Application No. 94.538C, on property located at 50 Quint Street, and adopting findings pursuant to City Planning Code Section 101.1.

File 37-95-2.1

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hsieh, Kennedy - 3.

Tabled

[Zoning Appeal]

Motion disapproving decision of the City Planning Commission by its Motion 13820, disapproving Conditional Use Application No. 94.538C, on property located at 50 Quint Street, and adopting findings pursuant to City Planning Code Section 101.1.

File 37-95-2.2

Supervisor Migden, seconded by Supervisor Bierman, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

Adopted

[Findings]

Motion directing the Clerk of the Board of Supervisors to prepare findings relating to proposed Conditional Use Application No. 94.538C on property located at 50 Quint Street, for action by the Board at its next meeting.

File 37-95-2.3

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Bill Tocco;  
Steve O'Reilley, gun control measures;  
Louise Vaughn, HUD evictions, Geneva Towers;  
Peter Mychernokoff, Cuban embargo, P G & E, gun control, Office of Citizens Complaint;  
David Baldman, SF Heritage, AB 133;  
Emmett Conman, Richmond/Sunset Water Pollution Control;  
William, federal housing;  
Mark Payne, Columbia Hotel safety issues.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Hallinan requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Liquor License Moratorium]

Resolution extending Interim Zoning Controls to prohibit introduction of additional establishments, or any expansion of existing establishments, selling alcoholic beverages in the area generally bounded by Fourteenth Street, Army Street, Potrero Avenue and Guerrero Street. (Supervisors Leal, Shelley, Ammiano, Alioto, Teng)

File 111-93-001.02, Resolution No. 244-95

(March 27, 1995 - Introduced in Board for consideration on April 3, 1995.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Leal, Migden, Shelley, Teng - 7.

Absent: Supervisors Alioto, Hsieh, Kaufman, Kennedy - 4.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Severed from the For Adoption Without Committee Reference Calendar

Supervisor Leal, requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[State Legislation, SB 1257]

Resolution opposing SB 1257 concerning state preemption of local rent stabilization ordinances and urging the Mayor to direct the City's lobbyist to urge the State Legislature to oppose SB 1257. (Supervisors Alioto, Bierman)

File 012-95-015, Resolution No. 236-95

(March 27, 1995 - Introduced in Board for consideration on April 3, 1995.)

Supervisor Leal Excused from Voting

On the advice of the City Attorney, Supervisor Leal requested to be excused from voting because of possible conflict of interest.

Thereupon, Supervisor Hallinan, seconded by Supervisor Teng, moved to excuse Supervisor Leal from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Hsieh, Kaufman, Kennedy - 3.

The roll was then called on the pending legislation and it was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Migden, Shelley, Teng - 7.

Excused: Supervisor Leal - 1.

Absent: Supervisors Hsieh, Kaufman, Kennedy - 3.

Severed from for Adoption Without Committee Reference Calendar

Supervisor Hallinan requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Headwaters Forest]

((Resolution calling upon the Governor to direct the California Department of Forestry and Fish and Game for the immediate withdrawal of any plans to log the ancient redwoods in the Headwaters Forest in Humboldt County, California; to institute a permanent moratorium on logging in said site and encouraging all efforts to obtain public ownership of the ancient redwood groves.)) (Supervisors Hallinan, Bierman)

Resolution calling upon the Governor to direct the California Department of Forestry and Fish and Game for the immediate withdrawal of approval of timber harvest plans in the ancient redwoods in the Headwaters Forest complex and surrounding buffer zones and institute a permanent moratorium on logging in said site and encourage all efforts to obtain public ownership of the ancient redwood groves.

File 012-95-016, Resolution No. 237-95

(March 27, 1995 - Introduced in Board for consideration on April 3, 1995.)

Supervisor Hallinan, seconded by Supervisor Migden, moved an amendment of the whole entitled, "Resolution calling upon the Governor to direct the California Department of Forestry and Fish and Game for the immediate withdrawal of approval of timber harvest plans in the ancient redwoods in the Headwaters Forest complex and surrounding buffer zones and institute a permanent moratorium on logging in said site and encourage all efforts to obtain public ownership of the ancient redwood groves."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Leal, Migden, Shelley, Teng - 7.

Absent: Supervisors Alioto, Hsieh, Kaufman, Kennedy - 4.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Leal, Migden, Shelley, Teng - 7.

Absent: Supervisors Alioto, Hsieh, Kaufman, Kennedy - 4.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

Severed from for Adoption Without Committee Reference Calendar

Supervisor Alioto requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Richmond/Sunset Water Pollution Control]

Resolution urging the Mayor to request the Recreation and Park Department and the Department of Public Works to delay issuing a request for bids for the demolition of the Richmond/Sunset Water Pollution Control Plant (RSWPCCP) which consists of city-owned surplus buildings on four acres of land in the southwest corner of Golden Gate Park. (Supervisor Alioto)

File 053-95-001, Resolution No.

(March 27, 1995 - Introduced in Board for consideration on April 3, 1995.)

At the request of Supervisor Alioto, referred to Housing and Land Use Committee.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Public Health Week]

Resolution proclaiming April 3 - 9, 1995 as "Public Health Week". (Supervisors Alioto, Shelley, Teng)

File 004-95-003, Resolution No. 228-95

(March 27, 1995 - Introduced in Board for consideration on April 3, 1995.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[State Legislation, AB 629]

Resolution memorializing the California Legislature and Governor to enact Assembly Bill 629 which would ban the Saturday Night Special and urging the Mayor to direct the City's State lobbyist to work for its enactment. (Supervisors Kaufman, Kennedy, Shelley, Alioto, Bierman, Teng)

File 012-95-010, Resolution No. 231-95

(March 27, 1995 - Introduced in Board for consideration on April 3, 1995.)

Adopted.

In connection with the above item, Supervisors Bierman, Teng requested to be added as co-sponsors.

[State Legislation, AB 630 and AB 631]

Resolution memorializing the California Legislature and Governor to enact Assembly Bill 630 and AB 631 which imposes safe storage responsibility on gun owners; urging the Mayor to direct the City's lobbyist to work for its enactment. (Supervisors Kaufman, Kennedy, Shelley, Alioto, Bierman, Teng)

File 012-95-011, Resolution No. 232-95

(March 27, 1995 - Introduced in Board for consideration on April 3, 1995.)

Adopted.

In connection with the above item, Supervisors Bierman, Teng requested to be added as co-sponsors.

[State Legislation, AB 632]

Resolution memorializing the California Legislature and Governor to enact Assembly Bill 632 which would make illegally carrying concealed firearms a felony and not the current misdemeanor; urging the Mayor to direct the City's lobbyist to work for its enactment. (Supervisors Kaufman, Kennedy, Shelley, Alioto, Bierman, Teng)

File 012-95-012, Resolution No. 233-95

(March 27, 1995 - Introduced in Board for consideration on April 3, 1995.)

Adopted.

In connection with the above item, Supervisors Bierman, Teng requested to be added as co-sponsors.

[State Legislation, AB 633]

Resolution memorializing the California Legislature and Governor to enact Assembly Bill 633 which would provide for the mandatory destruction of confiscated weapons; urging the Mayor to direct the City's lobbyist to work for its enactment. (Supervisors Kaufman, Kennedy, Shelley, Alioto, Bierman, Teng)

File 012-95-013, Resolution No. 234-95

(March 27, 1995 - Introduced in Board for consideration on April 3, 1995.)

Adopted.

In connection with the above item, Supervisors Bierman, Teng requested to be added as co-sponsors.

[State Legislation, AB 634]

Resolution memorializing the California Legislature and Governor to enact Assembly Bill 634 which would permit local governments to enact ordinances regulating the manufacture, sale, purchase, use or possession of firearms; urging the Mayor to direct the City lobbyist to work for its enactment. (Supervisors Kaufman, Kennedy, Shelley, Alioto, Bierman, Teng)

File 012-95-014, Resolution No. 235-95

(March 27, 1995 - Introduced in Board for consideration on April 3, 1995.)

Adopted.

In connection with the above item, Supervisors Bierman, Teng requested to be added as co-sponsors.

[Litigation, Historic Preservation, AB 133]

Resolution urging the City Attorney to join lawsuit to invalidate AB 133 concerning special exemption to religious organizations from local historic preservation ordinances. (Supervisors Alioto, Bierman)

File 194-95-001, Resolution No. 249-95

(March 27, 1995 - Introduced in Board for consideration on April 3, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Presidio]

Resolution establishing the policy of the City and County of San Francisco to continue to support the Presidio as a National Park. (Supervisors Shelley, Bierman)

File 244-95-002, Resolution No. 250-95

(March 27, 1995 - Introduced in Board for consideration on April 3, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Appeal, Electric Power to Presidio]

Resolution urging the Mayor to urge the Public Utilities Commission to request that the City Attorney's Office immediately file an appeal in Federal Court to overturn the National Park Service's award to Pacific Gas and Electric Company to provide electrical power to the Presidio. (Supervisor Alioto)

File 244-95-003, Resolution No. 251-95

(March 27, 1995 - Introduced in Board for consideration on April 3, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Hsieh, Kennedy, Kaufman - 3.

#### IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-13, Resolution No. 216-95

(Susan Leal, member, Board of Supervisors, April 7 - 10; Mary Gomez Daddio, Commissioner, Human Rights Commission, March 27 - April 3; Louise H. Renne, City Attorney, March 29 - April 2, 1995.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Hsieh, Kennedy, Kaufman - 3.

#### IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following motions:

Adopted

[Purely Commendatory Finding]

Motion that the Board find by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Teng, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Leal, Migden, Shelley, Teng - 7.

Absent: Supervisors Alioto, Hsieh, Kaufman, Kennedy - 4.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Teng, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Leal, Migden, Shelley, Teng - 7.

Absent: Supervisors Alioto, Hsieh, Kaufman, Kennedy - 4.

Adopted

[Commend Community Development Block Grant]

Resolution commending the Community Development Block Grant program by designating National Community Development Week in San Francisco and recognizing the Mayor's Office of Community Development as the city agency carrying out the Community Development Week activities.

File 006-95-028, Resolution No. 217-95

Supervisor Teng presented for immediate adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Leal, Migden, Shelley, Teng - 7.

Absent: Supervisors Alioto, Hsieh, Kaufman, Kennedy - 4.

#### OFF-CALENDAR LEGISLATION

#### ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Appropriation, Human Resources, \$636,638]

Ordinance appropriating \$636,638, Department of Human Resources, from General Fund Reserve, for the costs of collective bargaining under Proposition F. Supervisor Kaufman presented. Referred to Budget Committee with request it be considered as soon as possible.

File 101-94-094.



[City Seal]

Substitute ordinance amending Administrative Code by adding Section 1.6-A, authorizing the Clerk of the Board, upon the recommendation of the Chief Administrative Officer, to approve the use of the City seal on items proposed by the Chief Administrative Officer, and allowing items with the approved use of the City seal to be offered for sale by the City and County of San Francisco. Supervisors Leal, Alioto presented. Referred to Government Efficiency/Labor Committee.

File 097-95-005.

[Joint Fundraising Drive, 1995]

Ordinance amending Administrative Code Section 16.93-4 establishing the schedule for the conduct of the Annual Joint Fundraising Drive, by amending the schedule to provide later deadlines for filing applications to participate and for designating participating agencies for the 1995 annual drive only. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee.

File 097-95-017.

[On-Street Vehicle Sales]

Ordinance amending Police Code Section 710.2 to remove zoning restriction from the prohibition of parking of vehicles for purpose of displaying such vehicles for sale. Supervisor Shelley presented. Referred to Health/Public Safety/Environment Committee.

File 121-95-001.

Referred to Board

[Proclaim San Francisco Bike Commute Day]

Resolution recognizing bicycling as an excellent transportation alternative and acknowledging May 4, 1995 as San Francisco Bike Commute Day. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar April 10, 1995.

File 004-95-004.

[Notification and Testing of Drinking Water]

Resolution urging the Mayor to urge the Public Utilities Commission and the Water Department to notify the public about the possible danger of cryptosporidium and other parasites that may be in the drinking water supply, if evidence is sufficient; urging the Mayor to urge the Health Commission to make available informational materials about the risks of unsafe water and the possible means of transmission of cryptosporidium; urging the Mayor to urge the Public Utilities Commission to test the water supply for cryptosporidium whenever any question arises about drinking water safety. Supervisors Migden, Bierman, Hallinan presented. Referred to Board for Adoption Without Committee Reference Calendar April 10, 1995.

File 005-95-001.01.

[State Legislation, SB 74]

Resolution memorializing the California Legislature to reject SB 74 which strips away local control from cities and creates added hardships on local law enforcement to control the proliferation of firearms. Supervisors Kaufman, Kennedy, Shelley, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar April 10, 1995.

File 012-95-017.

[State Legislation, AB 590]

Resolution supporting AB 590, which expands available medical supplies allowed under Medi-Cal to include bottled water and water filters to people who may be at risk of contracting cryptosporidiosis. Supervisors Migden, Bierman, Hallinan presented. Referred to Board for Adoption Without Committee Reference Calendar April 10, 1995.

File 012-95-018.

[Mandatory Name Reporting, HIV Positive]

Resolution opposing the California Medical Association's call for state legislation which would require the reporting of names of HIV-positive people to county health authorities and strongly opposing any state legislation which would require mandatory names reporting of HIV infected people. Supervisors Alioto, Ammiano, Bierman, Migden, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar April 10, 1995.

File 012-95-019.

[State Legislation, AB 154]

Resolution opposing AB 154 which would make the provision of county general assistance programs discretionary and urging the Mayor to direct the City's lobbyist to urge the State Legislature to oppose AB 154. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar April 10, 1995.

File 012-95-020.

Referred to Committee

[Toxic Contamination, Friends of the Court]

Resolution urging the Board of Supervisors to join other public agencies adjoining San Francisco bay in support of Save San Francisco Bay Association and others, as Friends of the Court before the U.S. Court of Appeals respecting toxic contamination of San Francisco bay with selenium by Unocal refinery, without cost to the City. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee with request it be considered at the April 11, 1995 meeting.

File 013-95-011.

Referred to Board

[Office of Citizens Complaints]

Resolution urging the Mayor to take immediate steps to hire a permanent director for the Office of Citizens Complaints and also act to budget funding for that office needed for hiring three additional investigators required to adequately meet the caseload currently pending in that office. Supervisors Ammiano, Hallinan presented. Referred to Board for Adoption Without Committee Reference Calendar April 10, 1995.

File 207-95-003.01.

Referred to Committee

[Domestic Violence Unit, Police Department]

Resolution requesting the Mayor to urge the Police Commission to make domestic violence a top priority of law enforcement in San Francisco and finding the space and resources to create a separate domestic violence unit of the San Francisco Police Department and make every effort to procure Federal funding. Supervisors Hallinan, Kennedy presented. Referred to Government Efficiency/Labor Committee with request it be considered at the April 25, 1995 meeting.

File 207-95-006.01.

#### Requests for Hearings:

[Sports Authority Task Force]

Hearing to consider establishing a Sports Authority Task Force to bring the Warriors to San Francisco. Supervisor Alioto presented. Referred to Economic Vitality/Social Policy Committee.

File 174-95-004.

[Automated Photo Enforcement Equipment]

Hearing to consider the installation and use of automated photo enforcement equipment to curtail the incidents of red light violations. Supervisors Leal, Bierman presented. Referred to Health/Public Safety/Environment Committee.

File 190-95-002.

[Critical Mass Cycle Event]

Hearing to consider public safety concerns of "Critical Mass" cycle event, specifically, the March 31, 1995 event. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 207-95-007.

Motions

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Migden presented. Referred to Board for Adoption Without Committee Reference Calendar April 10, 1995.

File 030-95-001.06.

[California Winter Storms of 1995 Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the California Winter Storms of 1995. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar April 10, 1995.

File 270-95-003.01.

Introduced by President at the Request of Departments

Ordinances Referred to Committee

File 045-95-011. [Settlement of Litigation, M. E. Washington] Ordinance authorizing settlement of litigation of Michael Eugene Washington against the City and County of San Francisco by payment of \$29,000 and waiver of medical lien in the amount of \$3,696.14. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 046-95-005. [Litigation, CCSF v. Fischer & Porter/Reliance] Ordinance authorizing settlement of litigation of the City and County of San Francisco against Fischer & Porter Company; and Reliance Insurance Company for \$200,000 plus parts valued at approximately \$175,000. (U.S. District Court Northern District of California No. C 93-0385 CAL). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 093-95-002. [MOU, MEA, Police Department] Ordinance implementing the fiscal provisions of the Arbitrator's Award between the Municipal Executives Association and the City and County of San Francisco for the ranks of 0390 Chief of Police and 0395 Assistant Chief for the period July 1, 1993 through June 30, 1995. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-95-003. [MOU, MEA, Fire Department] Ordinance implementing the fiscal provisions of the Arbitrator's Award between the Municipal Executives Association and the City and County of San Francisco for the ranks of 0140 Chief of Department, 0145 Assistant Deputy Chief, 0150 Deputy Chief of Department, and H51 Assistant Deputy Chief II for the period July 1, 1993 through June 30, 1995. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-95-004.01. [MOU, Fiscal Provisions, Chief Building Inspector] Ordinance amending Ordinance No. 317-94 implementing fiscal provisions of Memorandum of Understanding between the Building Inspectors Association for 6334 Chief Building Inspector and the City and County of San Francisco awarded by the arbitration panel. (Also see Files 93-95-4, 93-95-4.2, and 93-95-4.3) (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-95-004.03. [MOU, Fiscal Provisions, Building Inspectors] Ordinance amending Ordinance No. 316-94 implementing the fiscal provisions of Memorandum of Understanding between the Building Inspectors Association for 6331 Building Inspector and 6333 Senior Building Inspector and the City and County of San Francisco awarded by the arbitration panel. (Also see Files 93-95-4, 93-95-4.1, and 93-95-4-2) (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 097-95-015. [Membership Criteria for Retirement System] Draft ordinance amending Administrative Code Section 16.42 and deleting Section 16.43 regarding Membership Criteria for Retirement System. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 097-95-016. [Health Service Plans & Rates of Contribution] Ordinance amending Section 16.157, approving Health Service System Plans and Rates of Contribution as adopted by the Health Service Board. (Health Service System) Referred to Government Efficiency/Labor Committee.

File 101-94-090. [Appropriation, Rent Board] Ordinance appropriating \$91,644, Rent Board, Special Fund Revenue to salaries, materials and supplies, equipment and services of other departments to implement Proposition I for fiscal year 1994-95. RO #94207 (Controller) Referred to Budget Committee.

File 101-94-091. [Appropriation, Retirement System] Ordinance appropriating \$13,980, Retirement System, from Employees Retirement Trust Fund for services of other departments to provide funding for a Worker's Compensation Adjuster for fiscal year 1994-95. RO #94208 (Controller) Referred to Budget Committee.

File 101-94-092. [Appropriation, Mayor's Office] Ordinance appropriating \$35,000, Mayor's Office, from the General Fund Reserve to non-personal services to provide funding for the Mobilization Against AIDS through the Community United Against Violence for fiscal year 1994-95. RO #94209 (Controller) Referred to Budget Committee.

Resolutions Referred to Committee

File 025-95-005. [Prop J Contract, Security Services, 25 Van Ness] Resolution concurring with the Controller's certification that security services for 25 Van Ness Avenue can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 033-95-004. [Appointment, S.F. Relocation Appeals Board] Resolution confirming Mayor's appointment to the San Francisco Relocation Appeals Board of Lynne C. Hermle, for the term to expire January 2, 1998, vice Betty Jean Brooks, term expired January 2, 1993. (Mayor) Referred to Rules Committee.

File 038-95-002. [Gift Acceptance, Recreation and Park] Resolution accepting gifts valued at \$278,000 for use by the Recreation and Park Department. (Recreation and Park Department) Referred to Budget Committee.

File 040-95-008. [Residential Parking "F", Jordan Park/Presidio] Resolution extending the boundaries of Residential Permit Parking Area "F" in the Jordan Park/Presidio Heights Area. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 048-95-007. [Settlement of Claim, Mid Century Insurance] Resolution approving settlement of the unlitigated claim of Mid-Century Insurance Company by payment for \$7,506.88. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-95-008. [Settlement of Claim, E. Stewart Holland] Resolution approving the settlement of the unlitigated claim of E. Stewart Holland by payment of \$6,100. Referred to Government Efficiency/Labor Committee.

File 093-95-004. [MOU, Building Inspectors, Chief Inspector] Resolution ratifying amendment to Memorandum of Understanding between the Building Inspectors Association and the City and County of San Francisco for 6334 Chief Building Inspector awarded by the panel of arbitrators. (Also see files 93-95-4.1, 93-95-4.2, and 93-95-4.3) (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-95-004.02. [MOU, Building Inspectors] Resolution ratifying Memorandum of Understanding between the Building Inspectors Association and the City and County of San Francisco for 6331 Building Inspector and 6333 Senior Building Inspector awarded by the panel of arbitrators. (Also see Files 93-95-4, 93-95-4.1, and 93-95-4.3) (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 146-95-004. [State Grant, Oil Spill Prevention] Resolution authorizing the Department of Public Health, Bureau of Environmental Health Management, to accept and expend retroactively a grant of \$5,000, which includes indirect costs in the amount of \$699, based on twenty-two percent of salaries, from the California Department of Fish and Game, Office of Oil Spill Prevention and Response, for providing input into the San Francisco Bay/San Joaquin Delta Area contingency plan for oil spills; providing for ratification of action previously taken. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 146-95-005. [Federal Grant, "Make the Right Call"] Resolution authorizing the Department of Public Health Paramedic Division, to apply for retroactively, accept and expend a grant of \$10,000, which includes indirect costs in the amount of \$188, based on twenty-five percent of salaries from the Federal Emergency Management Agency (FEMA) for "Evaluation of 'Make the Right Call' Public EMS Education Campaign"; providing for ratification of action previously taken. Department of Public Health) Referred to Government Efficiency/Labor Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Ammiano, that City Attorney prepare ordinance which would raise the hotel tax rate to 14 percent and increase the General Fund portion of tax to six percent.

By Supervisor Ammiano, that City Attorney prepare ordinance which would raise the real estate transfer tax to 1.5 percent on properties sold for \$1 million or more.

By Supervisor Ammiano, that City Attorney prepare ordinance which would raise the payroll tax rate from 1.5 percent to two percent for companies with payroll over \$6.6 million a year with a corresponding increase in the gross receipts rate.

By Supervisor Ammiano, that City Attorney prepare ordinance which would impose a .1 percent tax on the privilege of buying and selling stocks on the floor of any stock exchange in San Francisco.

By Supervisor Ammiano, that City Attorney prepare ordinance which would require a two percent license fee for the privilege of earning over \$150,000 a year in wages in San Francisco and requiring collection of same by employers.

By Supervisor Ammiano, that City Attorney prepare ordinance which would lower the payroll tax rate from 1.5 percent to one percent for small businesses with payroll under \$333,333 with a corresponding decrease in gross receipts rate; retaining exemption for small businesses with payroll under \$166,666.

By Supervisor Kaufman, that City Attorney draft ordinance concerning group housing, residential care facilities and other institutions as follows: number of existing and proposed group housing, residential care facilities and other institutions, their location and the type of facility that are now operating in the City; amend City Planning Code to establish criteria for locating and operating such facilities which are fair and equitable to the neighborhoods and minimize impacts on the neighborhoods; to require such facilities with seven or more bed capacity to file with the Department of City Planning an institutional master plan describing the existing and anticipated future development of the facilities pursuant to the City Planning Code; assess the impacts of these facilities on neighborhoods including cumulative effects from multiple facilities as well as other institutions including group housing and medical institutions.

By Supervisor Hallinan, that City Attorney prepare a motion to issue a subpoena on behalf of the Board of Supervisors for Jack Immendorf to appear before the Board of Supervisors and to bring documents relevant to the operations of Fleet Week Committee, said information to include, but not be limited to, who the members of the Fleet Week Committee are, how they are selected and who appoints them; how the City and County and the general public may properly direct concerns and ideas regarding Fleet Week activities; what is the source and amount of financial and in-kind contributions to Fleet Week activities dating back to 1992; and whether Fleet Week is incorporated, and, if so, the date of incorporation and the legal name.

#### Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Corine Dedman (Supervisor Kennedy)  
Adelya Linka (Supervisor Alioto)  
Raymond Syufey (Supervisor Alioto)  
Gerald Sylvan Rhine (Supervisors Bierman, Kaufman)  
Robert Katz (Supervisor Bierman)  
Thomas D. Harvey (Supervisor Leal)  
Catherine Ann Ferdon (Supervisor Leal)  
Abraham A. Cownan (By the entire Board)

File 2-95-13

Unanimously adopted by a rising vote.

#### ADJOURNMENT

There being no further business, the Board at the hour of 4:24 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 15, 1995

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

Monday, April 10, 1995

# **Journal of Proceedings**

*The Minutes of the*

# **Board of Supervisors**

City and County of San Francisco

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Volume 90

Number 14







BOARD OF SUPERVISORS

Monday, April 10, 1995 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:04 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 8.

Noted absent at first roll call:

Supervisors Ammiano, Bierman, Kennedy - 3.

Quorum present.

Supervisor Ammiano was noted present at 2:05 p.m.

Supervisor Bierman was noted present at 2:06 p.m.

Supervisor Kennedy excused, on official leave of absence.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Teng, seconded by Supervisor Bierman, moved that the Journals of Proceedings for Monday, February 6 and 13, 1995, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Department of Public Health]  
Ordinance appropriating \$29,124,382 in Medi-Cal revenues for San Francisco General Hospital's participation in the SB 855 Disproportionate Share Payment Program for fiscal year 1994-95, providing \$12,282,331 for 1995-96 Budget Reserve, includes revenue transfer to the General Fund and SB 855 match in other non-personal services. (Supervisor Alioto)

File 101-94-72, Ordinance No. 93-95

Finally passed.

[Appropriation, Department of Public Health]  
Ordinance appropriating \$4,467,295 in Medi-Cal Revenues and \$1,149,131 from the General Fund service for San Francisco General Hospital's participation in the SB 855 Disproportionate Share Payment Program for fiscal year 1994-95. (Includes revenue transfer to the General Fund and SB 855 match in other non-personal services). (Supervisor Alioto)

File 101-94-73, Ordinance No. 94-95

Finally passed.

[Appropriation, Department of Electricity and Telecommunications] Ordinance appropriating \$497,465, Department of Electricity and Telecommunications, from the General Fund Reserve, for transfer to the 1994 Citywide Radio Communications System Fund, for fiscal year 1994-95 (provides General Fund support pending bond sale); providing for ratification of action previously taken. (Controller)

File 101-94-75, Ordinance No. 96-95

Finally passed.

[Appropriation, Chief Administrative Officer]  
Ordinance appropriating \$32,117,349, \$15,700,965, Chief Administrative Officer, from Lease Revenue Bond proceeds and \$16,416,384 from the Convention Facilities Fund, for debt service and capital improvements to the Moscone Center and the Children's Center for fiscal year 1994-95; placing \$22,973,794 on reserve. (Supervisors Bierman, Teng)

File 101-94-76, Ordinance No. 97-95

Finally passed.

[Appropriation, Real Estate Department]  
Ordinance appropriating \$198,251, Real Estate Department, from the General Fund Reserve for salaries, fringe benefits, other non-personal services, materials and supplies and equipment to provide security services at 875 Stevenson Street and the War Memorial Building for fiscal year 1994-95 (includes revenue transfer to the War Memorial Special Fund); placing \$10,530 on reserve. (Controller)

File 101-94-79, Ordinance No. 98-95

(Fiscal Impact.)

Finally passed.

[Cash Revolving Fund-Sheriff]  
Ordinance amending Administrative Code, increasing the Sheriff Cash Revolving Fund from \$4,800 to \$6,000. (Sheriff Department)

File 97-95-9, Ordinance No. 102-95

(Amends Section 10.164.)

Finally passed.

From Budget Committee Without Recommendation

Finally Passed

[Appropriation, Airports]  
Ordinance appropriating \$8,568,551, Airports, of interest earnings from various Capital Improvement Project Funds of the Airport to Capital Improvement Projects (expand electrical sources to the Airport and support Master Plan Projects) for fiscal year 1994-95. (Controller)

File 101-94-74, Ordinance No. 95-95

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Airport Lease, Philippine Airlines]  
Ordinance approving retroactively, Modification No. 3 of Lease and Use Agreement between Philippine Airlines, Inc. and the City and County, acting by and through its Airports Commission effective February 7, 1995. (Airports Commission)

File 27-95-6, Ordinance No. 99-95

Finally passed.

[Settlement of Litigation, Nicole Abagnaro]

Ordinance authorizing settlement of litigation of Nicole Abagnaro against the City and County for \$225,000. (Supervisor Hallinan)

File 45-95-9, Ordinance No. 101-95

(San Bernardino Superior Court No. SCV 04291.)

Finally passed.

[Settlement of Litigation, Pleasant Hill Cremation]

Ordinance authorizing settlement of litigation against defendant College Chapel Mortuary of a class action entitled In Re: Pleasant Hill Cremation Cases, with defendant paying \$100,000 into a settlement trust account. (City Attorney)

File 46-95-4, Ordinance No. 100-95

(S.F. Superior Court No. 943703)

Finally passed.

[Salary Ordinance, Staff Nurses]

Ordinance adjusting and fixing schedules of compensation, effective July 1, 1994, to be paid under the provisions of Charter Section 8.403 to employees occupying classifications: 2320 Registered Nurse, 2323 Clinical Nurse Specialist, 2330 Anesthetist, 2340 Operating Room Nurse, 2830 Public Health Nurse, 2328 Nurse Practitioner and P103 Special Nurse; continuing by reference the incorporation of a Memorandum of Understanding between the City and County and SEIU Local 790 (Staff Nurses) which established conditions and benefits of employment other than wages for said classifications. (Department of Human Resources)

File 103-95-1, Ordinance No. 103-95

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

#### REGULAR CALENDAR

#### UNFINISHED BUSINESS

#### Consideration of Mayor's Disapproval

Consideration Continued

[Motherlode Bar Relocation]

Resolution determining that relocation of the Motherlode Bar from 1002 Post Street to 1035 Post Street will serve the convenience and necessity of the people of the City and County, in accordance with Sections 23958 and 23958.4(b)(1) of the California Business and Professions Code. (Supervisors Hallinan, Teng)

File 223-95-001, Resolution No.

(March 20, 1995 - Adopted;

March 31, 1995 - Returned to Board by Mayor, disapproved.)

(April 3, 1995 - Consideration continued to April 10, 1995.)

Supervisor Hallinan, seconded by Supervisor Alioto, moved to continue consideration to April 17, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

From the Clerk

Adopted

[Findings]

Motion adopting findings related to the appeal of the City Planning Commission's disapproval of Conditional Use Application No. 94.538C, which denied a conditional use authorization to establish an automobile wrecking operation (as defined by Planning Code Section 225(P)) in an M-2 (Heavy Industrial) District on property located at 50 Quint Street; Lot 1 in Assessor's Block 5201.

File 37-95-2.4

Supervisor Hsieh Excused from Voting

The Clerk announced that Supervisor Hsieh requested to be excused from voting because he was not at the public hearing and had not listened to the tapes.

Supervisor Kaufman, seconded by Supervisor Migden, moved to excuse Supervisor Hsieh from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

The roll was then called on the main motion and it was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Excused: Supervisor Hsieh - 1.

Absent: Supervisor Kennedy - 1.

Recommendation of Housing and Land Use Committee

Consideration Continued

[Rent Control]

Ordinance amending Administrative Code, to prohibit the rent board from issuing rules that treat newly-created units differently than other units subject to rent control in determining whether rent increases are justified. (Supervisors Bierman, Teng)

File 109-95-3, Ordinance No.

(Amends Section 37.6.)

(March 27, 1995 - Consideration continued to April 10, 1995.)

Supervisor Leal Excused From Voting

Supervisor Leal was previously excused from voting on this item by the Board. (See Journal of Proceedings of March 20, 1995.)

Supervisor Bierman, seconded by Supervisor Alioto, moved to continue consideration to April 24, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 9.

Excused: Supervisor Leal - 1.

Absent: Supervisor Kennedy - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Department of Public Health]

Ordinance appropriating \$682,058, Department of Public Health - Mental Health, from the General Fund Reserve for medical service contracts to continue substance abuse programs in fiscal year 1994-95; providing for ratification of action previously taken. (Supervisors Alioto, Bierman)

File 101-94-77, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Teng - 8.

Absent: Supervisor Hsieh, Kennedy, Shelley - 3.

The President resumed the Chair.

[Appropriation, Department of Public Health]

Ordinance appropriating \$125,000, Department of Public Health - Community Health Services, from the General Fund Reserve for professional services to implement the Medi-Cal Managed Care Local Initiative for fiscal year 1994-95; providing for ratification of action previously taken. (Controller)

File 101-94-78, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Consideration Continued

[Appropriation, District Attorney]

Ordinance appropriating \$533,277, District Attorney of federal revenue and rescinding \$59,253 from other non-personal services to fund \$592,530 of computer equipment for the Statewide Automated Child Support System for the District Attorney-Family Support Office, for fiscal year 1994-95. (Controller)

File 101-94-80, Ordinance No.

(Fiscal Impact.)

Supervisor Teng, seconded by Supervisor Ammiano, moved to continue consideration to April 17, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Passed for Second Reading

[Appropriation, Chief Administrative Officer]

Ordinance appropriating \$23,508, Chief Administrative Officer, from the General Fund Reserve to provide full funding for the cost of membership in the Association of Bay Area Governments for fiscal year 1994-95. (Controller)

File 101-94-81, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Appropriation, Department of Public Health-SFGH]

Ordinance appropriating \$20,000,000, Department of Public Health, San Francisco General Hospital, to participate in the SB 1255 Disproportionate Share Payment Program through the California Medical Assistance Commission during fiscal year 1994-95; funded from Disproportionate Share Program Revenues; placing a reserve on any additional revenues under SB 1255. (Controller)

File 101-94-83, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Quitclaim of Easement]

Ordinance urging and authorizing the Director of Property to quitclaim an easement over a portion of 1096 Eddy Street for less than fair market value to Progress Foundation for development of an affordable housing project and urging and authorizing the Director of Property to accept a relocated easement. (Supervisors Bierman, Alioto, Ammiano, Hsieh, Teng)

File 203-95-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Adopted

[Japantown Peace Plaza - Western Addition A-1]

Resolution adopting a finding pursuant to California Redevelopment Law that authorizes the transfer of \$600,000 to the Department of Public Works to partially fund the renovation of the Peace Plaza in the Japanese Cultural and Trade Center. (Supervisors Leal, Bierman)

File 11-95-1, Resolution No. 260-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Parking Garage Rates]

Resolution approving new rates at the Fifth and Mission Garage. (Department of Parking and Traffic)

File 47-95-9, Resolution No. 266-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Recommendation of Economic Vitality and Social Policy Committee

Adopted

[Homelessness - Community House Project]

Resolution urging the Mayor to urge the Social Services and Public Health Commissions and the Mayor's Office of Housing and Community Development to develop a plan to expand the Community House Program to 1,500 homeless people; urging the Mayor to urge the Social Services Commission to give particular attention to quickly expanding the food delivery component of the Community House Program to homeless and very-low income persons referred to or living in SROs (single room occupancy hotels). (Supervisor Kaufman)

File 83-93-2.1, Resolution No. 254-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Recommendations of Rules Committee

Adopted

[Appointments]

Resolution appointing members to the Adult Day Health Care Planning Council, terms expired, for new three-year terms ending September 30, 1997. (Rules Committee)

File 92-94-43.3, Resolution No. 255-95

(Anthony Nicco, Seat No. 20017, Department of Social Services, vice Bob Cowan;  
June W. Keller, Seat No. 20005, Age group, vice Luz A. Cancino;  
Carole Kilgariff, Seat No. 20007, Age Group, vice Inez McClaren.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Appointments]

Resolution appointing members to the Delinquency Prevention Commission, terms expired, for new four-year terms ending December 31, 1998. (Rules Committee)

File 92-94-65.1, Resolution No. 256-95

(Arthur Walker, Seat No. 21802, vice himself;  
James H. Mayo, Seat No. 21804, vice himself.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Appointment]

Resolution confirming Mayor's appointment of Claude Jarman to the War Memorial Board of Trustees, for the term to expire January 2, 2001. (Mayor)

File 33-95-2, Resolution No. 265-95



(Claude M. Jarman, vice Soula Leones, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Conference with Labor Negotiator - Collective Bargaining

Adopted

Motion that the Board of Supervisors convene in closed session with Wendell Pryor, Director of Human Resources, for the purpose of reviewing the City's position and instructing its designated representatives concerning collective bargaining negotiations involving all forms of compensation (including wages, hours, benefits, and working conditions), with all recognized employee organizations, as authorized by California Government Code Section 54957.6.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Migden assumed the Chair.

Recess

The Board recessed at the hour of 2:58 p.m. to convene in closed session pursuant to above motion.

Reconvening the Board

The Board, at the hour of 3:13 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Teng - 8.

Noted Absent:

Supervisors Hsieh, Kennedy, Shelley - 3.

Quorum present.

Report on Closed Session

The Deputy City Attorney reported that the Board met in closed session with Wendell Pryor, Director of Human Resources, for the purpose of reviewing the City's position and instructing its designated representatives concerning collective bargaining negotiations involving all forms of compensation (including wages, hours, benefits, and working conditions), with all recognized employee organizations, as authorized by California Government Code Section 54957.6 and the Board took no action.

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations in pending employee relations negotiations.

Supervisor Teng, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Teng - 8.

Absent: Supervisors Hsieh, Kennedy, Shelley - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Kathy Perry, fundraising breakfast to benefit homeless;  
Martin Read, community assistance, employment;  
Male speaker, public housing tenant groups, Bernal dwelling;  
Roger Ronay, suicide hotline staffing;  
Female social worker speaker, Bernal dwelling.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Bierman requested that the following measure be severed from For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[California Winter Storms of 1995 Emergency]  
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the California Winter Storms of 1995. (Supervisors Shelley, Teng)

File 270-95-003.01

(April 3, 1995 - Introduced in Board for consideration on April 10, 1995.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Kaufman, Leal, Migden, Teng - 7.

Absent: Supervisors Bierman, Hsieh, Kennedy, Shelley - 4.

Request Granted

Supervisor Hallinan requested the Director of Emergency Services be present at the next meeting (April 24, 1995) in which the Board will consider the motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the California Winter Storms of 1995 to clarify the need for the declaration.

No objection and Clerk directed to notify the director.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Proclaim San Francisco Bike Commute Day]  
Resolution recognizing bicycling as an excellent transportation alternative and acknowledging May 4, 1995 as San Francisco Bike Commute Day. (Supervisors Bierman, Migden, Alioto, Teng)

File 004-95-004, Resolution No. 257-95

(April 3, 1995 - Introduced in Board for consideration on April 10, 1995.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Notification and Testing of Drinking Water]

Resolution urging the Mayor to urge the Public Utilities Commission and the Water Department to notify the public about the possible danger of cryptosporidium and other parasites that may be in the drinking water supply, if evidence is sufficient; urging the Mayor to urge the Health Commission to make available informational materials about the risks of unsafe water and the possible means of transmission of cryptosporidium; urging the Mayor to urge the Public Utilities Commission to test the water supply for cryptosporidium whenever any question arises about drinking water safety. (Supervisors Migden, Bierman, Hallinan, Alioto)

File 005-95-001.01, Resolution No. 258-95

(April 3, 1995 - Introduced in Board for consideration on April 10, 1995.)

Adopted.

[State Legislation, AB 590]

Resolution supporting AB 590, which expands available medical supplies allowed under medical to include bottled water and water filters to people who may be at risk of contracting cryptosporidiosis. (Supervisors Migden, Bierman, Hallinan, Alioto, Leal)

File 012-95-018, Resolution No. 262-95

(April 3, 1995 - Introduced in Board for consideration on April 10, 1995.)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[State Legislation, SB 74]

Resolution memorializing the California Legislature to reject SB 74 which strips away local control from cities and creates added hardships on local law enforcement to control the proliferation of firearms. (Supervisors Kaufman, Kennedy, Shelley, Alioto, Bierman)

File 012-95-017, Resolution No. 261-95

(April 3, 1995 - Introduced in Board for consideration on April 10, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Mandatory Name Reporting, HIV-Positive]

Resolution opposing the California Medical Association's call for state legislation which would require the reporting of names of HIV-positive people to county health authorities and strongly opposing any state legislation which would require mandatory names reporting of HIV infected people. (Supervisors Alioto, Ammiano, Bierman, Migden, Teng)

File 012-95-019, Resolution No. 263-95

(April 3, 1995 - Introduced in Board for consideration on April 10, 1995.)

Adopted.

[State Legislation, AB 154]

Resolution opposing AB 154 which would make the provision of county general assistance programs discretionary and urging the Mayor to direct the City's lobbyist to urge the State Legislature to oppose AB 154. (Supervisor Alioto)

File 012-95-020, Resolution No. 264-95

(April 3, 1995 - Introduced in Board for consideration on April 10, 1995.)

Adopted.

[Office of Citizens Complaints]

Resolution urging the Mayor to take immediate steps to hire a permanent director for the Office of Citizens Complaints and also act to budget funding for that office needed for hiring three additional investigators required to adequately meet the caseload currently pending in that office. (Supervisors

Ammiano, Hallinan, Alioto)

File 207-95-003.01, Resolution No. 267-95

(April 3, 1995 - Introduced in Board for consideration on April 10, 1995.)

Adopted.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Migden)

File 030-95-001.06

(April 3, 1995 - Introduced in Board for consideration on April 10, 1995.)

Adopted.

[Final Map, 650 Chestnut Street]

Motion approving final map of 650 Chestnut Street, a Condominium Project, being a resubdivision of Lot 35 in Assessor's Block 51, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-95-9

(April 3, 1995 - Introduced in Board for consideration on April 10, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Teng - 8.

Absent: Supervisors Hsieh, Kennedy, Shelley - 3.

#### IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-14, Resolution No. 229-95

(Frank M. Jordan, Mayor; April 8 - 11; L. Andrew Jeanpierre, President, Airports Commission, April 3 - 9; Michael S. Strunsky, Member, Airports Commission, April 6 - 12; Larry Mazzola, Member, Airports Commission, April 22 - 26, 1995.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Teng - 8.

Absent: Supervisors Hsieh, Kennedy, Shelley - 3.

#### IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board find by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Alioto, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Teng - 8.

Absent: Supervisors Hsieh, Kennedy, Shelley - 3.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Leal, seconded by Supervisor Bierman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Teng - 8.

Absent: Supervisors Hsieh, Kennedy, Shelley - 3.

Adopted

[Commend Richard Young]

Resolution posthumously commending Richard Young for his lifelong activist commitment to public and community service and declaring April 23, 1995 "Richard Young Day".

File 006-95-029, Resolution No. 230-95

Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng presented for immediate adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Teng - 8.

Absent: Supervisors Hsieh, Kennedy, Shelley - 3.

#### OFF-CALENDAR LEGISLATION

#### ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Lease, Beach Chalet]

Ordinance approving a twenty-year lease with the Beach Chalet, L.P. for the operation of a microbrewery and restaurant on the second floor of the Beach Chalet building. Supervisors Hsieh, Bierman, Leal presented. Referred to Budget Committee.

File 065-95-002.

[In-Home Supportive Services Public Authority]

Ordinance amending Administrative Code by adding Chapter 70, Sections 70.1 through 70.10, to establish a public authority pursuant to California Welfare and Institutions Code Section 12301.6 to provide for the delivery of In-Home Supportive Services. Supervisors Shelley, Bierman, Ammiano, Alioto, Teng, Kennedy, Migden, Hallinan, Hsieh, Leal presented. Referred to Budget Committee.

File 097-95-020.

[Grand Jury Report Hearings]

Ordinance amending Administrative Code by adding Section 2.10 to require a public hearing by the Board of Supervisors on reports submitted to them by the Grand Jury and requiring the Controller to report on the status of implementation of the recommendations. Supervisor Hsieh presented. Referred to Budget Committee.

File 097-95-021.

Referred to Board

[Proclaim The Sleeping Beauty Day]

Resolution declaring April 26, 1995 "Helgi Tomasson's The Sleeping Beauty Day." Supervisor Migden presented. Referred to Board for Adoption Without Committee Reference Calendar April 17, 1995.

File 004-95-005.

[Federal Legislation, HR 1005]

Resolution opposing H.R. 1005 concerning English as the official language of the United States. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar April 17, 1995.

File 013-95-012.

Referred to Committee

[Small Business Revolving Loan Program]

Resolution authorizing the Mayor to apply for a loan of Section 108 loan guarantee funds in a total amount not to exceed thirty million dollars and an associated grant of Economic Development Initiative Funds in a total amount not to exceed five million dollars from the U.S. Department of Housing and Urban Development for a small business revolving loan program; indirect costs associated with the acceptance of the loan funds will be provided from the Community Development Block Grant program. Supervisor Leal presented. Referred to Budget Committee.

File 068-95-005.

Referred to Board

[Grant - Federal Funds]

Resolution authorizing the Recreation and Park Department to apply for a grant in the amount of \$200,000 from the Urban Parks and Recreation Recovery Act for renovation of the soccer field at Franklin Square. Supervisor Leal presented. Referred to Board for Adoption Without Committee Reference Calendar April 17, 1995.

File 150-95-001.

[Labor Issues]

Resolution urging that the management of Safeway, Save Mart and Lucky Food Stores to agree to mediation as the most fair and expedient means to end their lockout and the strike by members of the United Food and Commercial Workers Union thereby benefiting the communities they serve. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar April 17, 1995.

File 176-95-005.

Referred to Committee

[Mission Bay Development Agreement]

Resolution urging Catellus Development Corporation and the San Francisco Planning Commission to undertake a comprehensive community planning process before any substantial modification of the existing Mission Bay Development Agreement and/or the final mission environmental impact report is forwarded to the Board of Supervisors for action. Supervisor Bierman presented. Referred to Housing and Land Use Committee with request it be considered at its April 20, 1995 meeting.

File 225-95-002.

Referred to Board

[Environmental Sustainability]

Resolution welcoming the President's Council on Sustainability to the City of San Francisco and urging the San Francisco Commission on the Environment to produce a draft long-term plan for environmental sustainability. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar April 17, 1995.

File 229-95-002.

Requests for Hearings:

[Federal Rescission Bill]

Hearing to consider the impact of the Federal Rescission Bill on San Francisco's budget. Supervisor Hsieh presented. Referred to Budget Committee.

File 013-95-013.

[Marijuana Medical Emergency]

Hearing to consider declaration of a medical emergency authorizing distribution of marijuana for medical purposes in San Francisco. Supervisor Ammiano presented. Referred to Health/Public Safety/Environment Committee.

File 030-95-008.

[Lobbyist Legislation Disclosure]

Hearing to consider enacting legislation which would require supervisors who introduce legislation authored by lobbyists to disclose the source of such legislation. Supervisor Hallinan presented. Referred to Rules Committee.

File 056-95-001.

[Chinese Medicines]

Hearing to consider the availability of Chinese medicines and treatment for City employees under the City's health plan. Supervisors Alioto, Teng presented. Referred to Health/Public Safety/Environment Committee.

File 078-95-002.

[Dependent Care Reimbursement Plan]

Hearing to consider the status of the City's Dependent Care Reimbursement Plan and ways to improve the participation of City employees in the plan. Supervisor Hsieh presented. Referred to Budget Committee.

File 078-95-003.

[Department of Social Services]

Hearing to consider the Department of Social Services management of personnel and whether they are violating any policies, procedures and memorandum of understanding agreements with its employees. Supervisor Kennedy presented. Referred to Government Efficiency/Labor Committee.

File 107-95-002.

[AIDS Foundation]

Hearing to consider the state of negotiations between the San Francisco AIDS Foundation and United Public Employees Local 790. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee.

File 176-95-006.

[City Owned Property]

Hearing to consider proposed plans for subdivision of City-owned property at Jamestown Avenue from Redondo to Ignacio, Bayview Hill, Jamestown. Supervisor Kennedy presented. Referred to Economic Vitality/Social Policy Committee with request it be scheduled for the May 2, 1995 meeting.

File 189-95-002.

[Federal Housing Development Security]

Hearing to consider legislation to grant peace officer status to private security officers at federal housing developments in the City and County of San Francisco. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee.

File 206-95-003.



Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 097-95-018. [James Guelff Fund] Ordinance establishing Peace Officers' Safety Fund for purchase of semi-automatic firearms and related equipment, accepting gifts to that fund and limiting expenditures from that fund. (Police Commission) Referred to Budget Committee.

File 097-95-019. [General Grant Levels] Ordinance amending Administrative Code Section 20.57 (General Assistance Ordinance) relating to the computation of aid grants. (Also see File 97-94-18.) (Department of Social Services) Referred to Budget Committee.

Resolutions Referred to Committee

File 028-95-005. [Emergency Repair, Parker Avenue Sewer] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Parker Avenue between Geary Boulevard and Anza Street - \$98,000. (Department of Public Works) Referred to Budget Committee.

File 028-95-006. [Emergency Repair, Guerrero Street Sewer] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Guerrero Street between 27th Street and 28th Street - \$123,780. (Department of Public Works) Referred to Budget Committee.

File 028-95-007. [Emergency Repair, Pine Street Sewer] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Pine Street between Larkin Street and Hyde Street - \$104,950. (Department of Public Works) Referred to Budget Committee.

File 033-95-005. [Appointment, War Memorial Board of Trustees] Resolution confirming Mayor's appointment to the San Francisco War Memorial Board of Trustees of Thomas R. Noonan, for the term to expire January 2, 2001, vice Ethel Davies, term expired and David A. Yoder, for the term to expire January 2, 2001, vice Francesca Naify, term expired. (Mayor) Referred to Rules Committee.

File 040-95-009. [Residential Parking "U", South of Market] Resolution revising the time limitations for a certain street within Residential Permit Parking Area "U" in the South of Market Area. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 041-95-001. [Assessment Costs, Sidewalk/Curb Repairs] Resolution confirming report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Department of Public Works) Scheduled for public hearing before Board on April 24, 1995 at 3:00 p.m.

File 068-95-004. [Grant, Supportive Housing/Shelter Plus Program] Resolution authorizing the Mayor of the City and County of San Francisco to apply for a Supportive Housing Program (SHP) grant and a Shelter Plus Care Program grant in a total amount not to exceed \$18,989,472 and \$6,132,600 respectively, from the U.S. Department of Housing and Urban Development. (Mayor's Office of Housing) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Hallinan, that City Attorney prepare condemnation proceedings regarding Hunt Lane. File 164-95-1.

By Supervisor Hallinan, that City Attorney prepare legislation which would require supervisors who introduce legislation authored by lobbyists to disclose the source of such legislation. File 56-95-1.

By Supervisor Hallinan, that City Attorney prepare legislation which would grant peace officer status to private security officers at federal housing developments in the City and County of San Francisco. File 206-95-3.

By Supervisor Hallinan, that Clerk notify Director of Emergency Services of request that he be present at the next meeting (April 24, 1995) in which the Board will consider the motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the California Winter Storms of 1995 to clarify the need for the declaration.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Nancy D'Alesandro (By the entire Board)  
Richard Young (By the entire Board)  
Jane Herzog (Supervisor Hallinan)  
Gardner Still (Supervisor Migden)  
Dorothy R. Landini (Supervisor Leal)  
Michael Charles Carrion (Supervisor Leal)

File 2-95-14

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:48 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 15, 1995.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

Monday, April 17, 1995

# **Journal of Proceedings**

*The Minutes of the*

# **Board of Supervisors**

City and County of San Francisco

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Volume 90

Number 15



JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, April 17, 1995 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:05 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Quorum present.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Migden, moved that the Journals of Proceedings for Monday, February 27, 1995 and March 6, 1995, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Leal requested that the following measure be severed from the Consent Calendar and considered separately.

Adopted

[State Hold Harmless Medi-Cal Agreement]  
Resolution authorizing the Department of Public Health, Community Substance Abuse Services to enter into a Hold Harmless Medi-Cal Agreement retroactive to July 1, 1994 for the term July 1, 1994 through June 30, 1995 with the State of California, Department of Alcohol and Drug Programs in the amount of \$5,559,002 as a condition of receiving State Medi-Cal funds for substance abuse treatment; authorizing and designating the Director of Substance Abuse Services to sign said agreement. (Department of Public Health)

File 172-95-14, Resolution No. 295-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Budget Committee

Finally Passed

[Appropriation, Department of Public Health]  
Ordinance appropriating \$682,058, Department of Public Health - Mental Health, from the General Fund Reserve for medical service contracts to continue substance abuse programs in fiscal year 1994-95; providing for ratification of action previously taken. (Supervisors Alioto, Bierman)

File 101-94-77, Ordinance No. 104-95

(Fiscal Impact.)

Finally passed.

[Appropriation, Department of Public Health]  
Ordinance appropriating \$125,000, Department of Public Health - Community Health Services, from the General Fund Reserve for professional services to implement the Medi-Cal Managed Care Local Initiative for fiscal year 1994-95; providing for ratification of action previously taken. (Controller)

File 101-94-78, Ordinance No. 105-95

(Fiscal Impact.)

Finally passed.

[Appropriation, Chief Administrative Officer]  
Ordinance appropriating \$23,508, Chief Administrative Officer, from the General Fund Reserve to provide full funding for the cost of membership in the Association of Bay Area Governments for fiscal year 1994-95. (Controller)

File 101-94-81, Ordinance No. 106-95

(Fiscal Impact.)

Finally passed.

[Appropriation, Department of Public Health-SFGH]  
Ordinance appropriating \$20,000,000, Department of Public Health, San Francisco General Hospital, to participate in the SB 1255 Disproportionate Share Payment Program through the California Medical Assistance Commission during fiscal year 1994-95; funded from Disproportionate Share Program revenues; placing a reserve on any additional revenues under SB 1255. (Controller)

File 101-94-83, Ordinance No. 107-95

Finally passed.

[Quitclaim of Easement]  
Ordinance urging and authorizing the Director of Property to quitclaim an easement over a portion of 1096 Eddy Street for less than fair market value to Progress Foundation for development of an affordable housing project and urging and authorizing the Director of Property to accept a relocated easement. (Supervisors Bierman, Alioto, Ammiano, Hsieh, Teng)

File 203-95-1, Ordinance No. 108-95

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Settlement of Litigation, Tina Milla Sosa]  
Ordinance authorizing settlement of litigation of Tina Milla Sosa against the City and County by payment of \$10,000. (City Attorney)

File 45-95-10, Ordinance No.

(Superior Court No. 963-609.)

Passed for second reading.

[Settlement of Litigation, M. E. Washington]

Ordinance authorizing settlement of litigation of Michael Eugene Washington against the City and County by payment of \$29,000 and waiver of medical lien in the amount of \$3,696.14. (City Attorney)

File 45-95-11, Ordinance No.

(Superior Court No. 945-999.)

Passed for second reading.

[Litigation, CCSF v. Fischer & Porter/Reliance]

Ordinance authorizing settlement of litigation of the City and County against Fischer & Porter Company; and Reliance Insurance Company for \$200,000 plus parts valued at approximately \$175,000. (City Attorney)

File 46-95-5, Ordinance No.

(U.S. District Court, Northern District of California, No. C 93-0385 CAL.)

Passed for second reading.

Adopted

[Settlement of Claim, Mid Century Insurance]

Resolution approving settlement of the unlitigated claim of Mid-Century Insurance Company by payment for \$7,506.88. (City Attorney)

File 48-95-7, Resolution No. 283-95

Adopted.

[Settlement of Claim, E. Stewart Holland]

Resolution approving the settlement of the unlitigated claim of E. Stewart Holland by payment of \$6,100. (City Attorney)

File 48-95-8, Resolution No. 284-95

Adopted.

[SDI Coverage, 1237 Training Coordinator]

Resolution authorizing enrollment of Classification 1237 Training Coordinator, into the State Disability Insurance Program. (Department of Human Resources)

File 89-95-1, Resolution No. 286-95

Adopted.

[State Grant - Project Read]

Resolution authorizing the City Librarian to apply retroactively for, accept and expend funds not to exceed \$57,443 that include indirect costs of five percent available from the California State Library for Student/Tutor Support and Outreach Services. (Public Library)

File 147-95-1, Resolution No. 289-95

Adopted.

[Department of Public Health Workers' Compensation Sub-Contract]

Resolution authorizing the Director of Public Health to execute a Sub-contract, including indemnification, with the University of California for a workers' compensation treatment facility pursuant to a contract between the Department of Public Health and the Department of Human Resources. (Department of Public Health)

File 172-95-15, Resolution No. 296-95

Adopted.



Recommendations of Housing and Land Use Committee

Adopted

[Stop Signs]

Resolution designating and rescinding certain intersections as "Stop" intersections. (Housing and Land Use Committee)

File 18-95-5, Resolution No. 277-95

(Stop Signs - Establish

20th and York Streets, northeast and southwest corners, stopping 20th Street (makes this an all-way STOP);  
Bella Vista Way and Teresita Boulevard, southwest corner, stopping Bella Vista Way (stops the stem of this T-intersection);  
Marietta Drive (north end) and Teresita Boulevard, northeast corner, stopping Marietta Drive (stops the stem of this T-intersection);  
Marietta Drive (south end) and Teresita Boulevard, northwest corner, stopping Marietta Drive (stops the stem of this T-intersection);  
Stillings Avenue and Teresita Boulevard, northeast corner, stopping Stillings Avenue (stops the stem of this T-intersection).)

Adopted.

[Parking Regulations, Harriet Street]

Resolution rescinding parking regulations on Harriet Street, west side, between Bryant Street and Ahern Way (to be replaced by a zone for police vehicle only). (Housing and Land Use Committee)

File 19-95-2, Resolution No. 278-95

(Tow-Away, No Parking Anytime - Rescind

Harriet Street, west side, between Bryant Street and Ahern Way;  
(to be replaced by a zone for police vehicle parking only).)

Adopted.

[Traffic Regulations, Various Locations]

Resolution enacting and rescinding traffic regulations on various streets. (Housing and Land Use Committee)

File 20-95-3, Resolution No. 279-95

(Multiple Turn Lane - Rescind

Tow-Away Lane must turn Right - Rescind

Broadway, westbound, at Sansome Street.

No Right turn from Center Lane, except Muni - Establish

Market Street, eastbound, at First Street.

One-Way Street - Establish

Romolo Place, southbound, between Vallejo and Fresno Streets.

Tow-Away, No Stopping Anytime - Establish

Jackson Street, north side, from Leavenworth Street to 22 feet westerly (22-foot zone replacing existing red zone);  
Jackson Street, south side, from Leavenworth Street to 22 feet westerly (22-foot zone replacing existing red zone).

Bicycle Lanes - Establish

Lake Street, eastbound and westbound, between 25th and 28th Avenues;  
Lake Street, eastbound and westbound, from 12th Avenue to 120 feet westerly (to beginning of westbound left-turn pocket);  
Lake Street, westbound, between Park Presidio Boulevard and 14th Avenue.

No U-Turn, 7:00 am - 8:30 am and 2:00 pm - 3:30 pm,

School days - Establish

Vicente Street, eastbound, at 18th Avenue.

One-Way Street - Establish

Harriet Street, northbound, between Bryant Street and Ahern Way.

Tow-Away, No Stopping Anytime - Establish

Harriet Street, east side, between Bryant Street and Ahern Way  
(replaces an existing zone for police vehicle parking only).)

Adopted.

[Residential Parking Area "G", Pacific Heights]

Resolution extending boundaries of Residential Permit Parking Area "G" in the Pacific Heights Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-95-6, Resolution No. 281-95

(Scott Street, between Sutter and Post Streets, east side.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

#### REGULAR CALENDAR

#### UNFINISHED BUSINESS

#### Consideration of Mayor's Disapproval

Adopted  
Mayor's Veto Overridden

[Motherlode Bar Relocation]

Resolution determining that relocation of the Motherlode Bar from 1002 Post Street to 1035 Post Street will serve the convenience and necessity of the people of the City and County, in accordance with Sections 23958 and 23958.4(b)(1) of the California Business and Professions Code. (Supervisors Hallinan, Teng)

File 223-95-001, Resolution No. 252-95

(March 20, 1995 - Adopted;

March 31, 1995 - Returned to Board by Mayor, disapproved.)

(April 10, 1995 - Consideration continued to April 17, 1995.)

The Clerk called the roll on the question, "Shall the resolution be adopted notwithstanding the Mayor's veto?"

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Noes: Supervisor Kennedy - 1.

#### Recommendations of Budget Committee

Consideration Continued

[Appropriation, District Attorney]

Ordinance appropriating \$533,277, District Attorney, of Federal revenue and rescinding \$59,253 from other non-personal services to fund \$592,530 of computer equipment for the Statewide Automated Child Support System for the District Attorney-Family Support Office, for fiscal year 1994-95. (Controller)

File 101-94-80, Ordinance No.

(Fiscal Impact.)

(April 10, 1995 - Consideration continued to April 17, 1995.)

Supervisor Teng, seconded by Supervisor Hallinan, moved to continue consideration to April 24, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Airport]

Ordinance appropriating \$118,499, Airport, of Airport operating funds, to salaries and fringe benefits for the creation of twenty-eight (28) positions and the deletion of one (1) position to implement the Master Plan and related Mitigation Program for fiscal year 1994-95. (Controller)

File 101-94-71, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Public Employment, Airport]

Ordinance amending Ordinance No. 293-94 (Annual Salary Ordinance, 1994-95) reflecting the addition of twenty-eight (28) positions and the deletion of one (1) position at the San Francisco International Airport; companion measure to File 101-94-71. (Department of Human Resources)

File 102-94-12, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair.

[Appropriation, Public Defender]

Ordinance appropriating \$424,154, Public Defender, from the General Fund Reserve to salaries and fringe benefits for the reduction of salary savings and creation of three (3) positions for fiscal year 1994-95. (Controller)

File 101-94-82, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

The President resumed the Chair.

[Public Employment, Public Defender]

Ordinance amending Ordinance No. 293-94 (Annual Salary Ordinance, 1994-95) Public Defender's Office, reflecting the addition of three (3) positions; companion measure to File 101-94-82. (Department of Human Resources)

File 102-94-13, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Appropriation, Board of Supervisors]

Ordinance appropriating \$149,520, Board of Supervisors from the General Fund Reserve to professional

services to allow the Budget Analyst to conduct "Zero Base" budget analysis of various City departments for fiscal year 1994-95; providing for ratification of action previously taken. (Supervisor Hsieh)

File 101-94-84, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

[Appropriation, Trial Courts]

Ordinance appropriating and rescinding \$267,000, Trial Courts, from salaries and fringe benefits to pay fees of attorneys and expert witnesses for fiscal year 1994-95. (Controller)

File 101-94-85.1, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

[Appropriation, Fire Department]

Ordinance appropriating \$52,000, Fire Department, of 1992 Fire Protection Bond proceeds for Capital Improvement Project (Fire Station 41) for fiscal year 1994-95. (Controller)

File 101-94-86.1, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

[Appropriation, Department of Public Works]

Ordinance appropriating and certifying \$26,634, Department of Public Works, for Capital Improvement Project (sewer repair) to cover ten (10) percent overage as per Charter Section 7.203, providing for ratification of action previously taken, for fiscal year 1994-95. (Controller)

File 101-94-87, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

[Appropriation, Juvenile Probation Department]

Ordinance appropriating \$1,415,990, Juvenile Probation Department, of Federal Subvention Revenue for facilities maintenance at the Youth Guidance Center and Log Cabin Ranch for fiscal year 1994-95; placing \$440,000 on reserve. (Controller)

File 101-94-88, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

Passed for Second Reading as Amended

[Appropriation, Recreation and Park]

Ordinance appropriating \$325,000, Recreation and Park Department from the Special Revenue Fund (rent credit from the San Francisco 49'ers) to make capital improvements to Candlestick Park; placing ((\$325,000)) \$141,000 on reserve. (Supervisor Kaufman)

File 101-94-89, Ordinance No.

(Fiscal Impact.)

Supervisor Hsieh, seconded by Supervisor Leal, moved to amend title, line three and line 16, by replacing "\$325,000" with "\$141,000"; amend line 17 by deleting "each of"; amend next line by replacing "four project phases" with "Phase IV project".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

[Overtime Expenditures, Bi-Annual Report]

Ordinance amending Administrative Code, requiring all City departments to bi-annually report overtime expenditures in excess of five percent (5%) of budgeted straight-time wages to the Board of Supervisors and analyze whether hiring additional employees would be more cost effective than the overtime hours. (Supervisors Hsieh, Alioto, Bierman, Teng)

File 97-94-82, Ordinance No.

(Amends Section 18.13.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Home Ownership Assistance Loan Fund]

Ordinance amending Administrative Code, to allow monies from the Home Ownership Assistance Loan Fund to be loaned to nonprofit corporations for (i) the purchase of housing units for resale to low and moderate income households and (ii) curing defaults on senior loans on housing units which have received secondary City financing; and to designate the Mayor's Office of Housing, or its successor, as the administrator of that fund. (Supervisors Ammiano, Bierman)

File 97-95-14, Ordinance No.

(Amends Section 10.117-76.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Federal Funding - 1995 Community Development Program]

Resolution approving an amendment to the 1995 Community Development Program. Authorizing the Mayor, on

behalf of the City and County of San Francisco, to receive and expend \$2,818,000 in additional entitlement funds and transfer \$182,000 from contingencies under the City's 1995 Community Development Block Grant (CDBG) Program from the U.S. Department of Housing and Urban Development. Approving Addendum 1 to the expenditure schedule for recipient departments and agencies and for indirect costs, and determining no environmental evaluation is required; authorizing the receipt and deposit in contingencies of 1995 CDBG entitlement funds in excess of \$26,984,000. (Mayor's Office of Community Development)

File 79-95-3, Resolution No. 285-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair.

Adopted as Amended

[Shared Medical Systems Contract Amendment]

Resolution authorizing the Director of Public Health to execute an amendment to the Information Systems Agreement between the City and County and Shared Medical Systems Corporation dated August 31, 1994. (Department of Public Health)

File 172-94-32.1, Resolution No. 268-95

(Fiscal Impact.)

Supervisor Kaufman, seconded by Supervisor Leal, moved to amend page two, lines 13 through 14, after \$4,568,867" by deleting the phrase, "and that any amount in excess of \$4,568,867 shall be subject to approval by the Board of Supervisors".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

The President resumed the Chair.

Recommendation of Economic Vitality and Social Policy Committee

Consideration Continued as Amended

[Business Improvement Procedure Code]

Ordinance amending Part III, Municipal Code, which would authorize property owners to petition the Board of Supervisors to form business improvement districts and authorize the Board of Supervisors, by specified procedures, to form one or more business improvement district(s) and to levy business improvement assessments on property within such districts. (Supervisor Kaufman)

File 127-95-2, Ordinance No.

(Enacts a new Article 15, Sections 1510 through 1591.)

Supervisor Kaufman, seconded by Supervisor Kennedy, moved an amendment of the whole bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Supervisor Kaufman, seconded by Supervisor Migden, moved to continue consideration as amended to April 24, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Airport Lease Modification, United Air Lines]  
Ordinance approving retroactively, Modification No. 11 of Lease and Use Agreement between United Air Lines, Inc. and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-95-7, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Consideration Continued

[Major League Team Professional Athlete]  
Ordinance amending Administrative Code, to require that all contracts and leases and other agreements by which the City permits City facilities to be used by professional, major league sports teams include a provision that requires such teams for more than one year to use major league quality athletes. (Supervisor Ammiano)

File 97-95-13, Ordinance No.

(Adds Section 6.61.)

Supervisor Ammiano, seconded by Supervisor Alioto, moved to continue consideration to April 24, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

[Joint Fundraising Drive, 1995]  
Ordinance amending Administrative Code, establishing the schedule for the conduct of the Annual Joint Fundraising Drive, by amending the schedule to provide later deadlines for filing applications to participate and for designating participating agencies for the 1995 annual drive only. (Supervisor Hallinan)

File 97-95-17, Ordinance No.

(Amends Section 16.93-4.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted as Amended

[Toxic Contamination, Friends of the Court]  
(Resolution urging the Board of Supervisors to join other public agencies adjoining San Francisco bay in support of Save San Francisco Bay Association and others, as Friends of the Court before the U.S. Court of Appeals respecting toxic contamination of San Francisco bay with selenium by UNOCAL refinery, without cost to the City.) (Supervisor Hallinan)

Resolution joining other public agencies adjoining San Francisco bay in support of Citizens For A Better Environment and others, as Friends of the Court before the U.S. Court of Appeals respecting toxic contamination of San Francisco bay with selenium by UNOCAL refinery, without cost to the City.



File 13-95-11, Resolution No. 275-95

Supervisor Hallinan, seconded by Supervisor Leal, moved to amend title to read: "Resolution joining other public agencies adjoining San Francisco bay in support of Citizens For A Better Environment and others, as Friends of the Court before the U.S. Court of Appeals respecting toxic contamination of San Francisco bay with selenium by UNOCAL refinery, without cost to the City".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair so the President could participate in the debate from the floor.

(Supervisor Teng dissenting in Committee.)

Refused Adoption

[Contract Out, Parking Citation Data Entry]

Resolution concurring with the Controller's certification that parking citation data entry services for the Department of Parking and Traffic Citation Division can be practically performed by a private contractor for a lower cost than similar services performed by City and County employees. (Department of Parking and Traffic)

File 25-95-2, Resolution No.

Refused adoption by the following vote:

Ayes: Supervisors Hallinan, Kaufman, Leal - 3.

Noes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Migden, Shelley, Teng - 8.

The President resumed the Chair.

Adopted

[Surplus Books and Materials, Public Library]

Resolution authorizing the Public Library to redistribute surplus books and materials to qualified applicants who meet specific criteria. (Public Library)

File 96-95-2, Resolution No. 287-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Acceptance of Funds, Catellus Development Corp.]

Resolution authorizing the Director of Public Works, with approval of the Chief Administrative Officer, to accept and expend funds of up to \$1,015,190 from Catellus Development Corporation for its share of Combined Sewer System and Overland Flow Facility Costs associated with construction of the King Street Roadway in the Mission Bay Project Area. (Department of Public Works)

File 148-95-1, Resolution No. 290-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[1995-96 Standards and Training, Local Corrections]

Resolution authorizing the Sheriff's Department, Adult Probation Department, and Juvenile Probation Department to apply for, retroactively, accept and expend \$334,390 in funds from the State of California Board of Corrections for the Standards and Training of Local Corrections and Probation Officers Programs; stipulating adherence to standards of recruitment and training established by the Board of Corrections, waiving indirect costs. (Sheriff)

File 152-95-1, Resolution No. 292-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Earthquake Liability Insurance]

Resolution authorizing the City's assumption of damages due to earthquake in the contracts for the seismic retrofit of City Hall and construction of the new courthouse, pursuant to Administrative Code Section 6.54. (Department of Public Works)

File 172-95-12, Resolution No. 293-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Contract - U.N. Plaza Project Committee]

Resolution authorizing the Chief Administrative Officer to enter into an agreement with members of the United Nations Plaza Project Committee whereby the City will indemnify and hold said members harmless from damages arising out of the United Nations Plaza Project. (Chief Administrative Officer)

File 172-95-13, Resolution No. 294-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

Recommendations of Housing and Land Use Committee

Adopted

[Final Negative Declaration, 2430 Chestnut St.]

Resolution adopting Final Negative Declaration, finding, and determining the reclassification of Lot 12 in Assessor's Block 930 from the existing RH-3 (Residential, Three Units) Zoning District to an NC-2 (Neighborhood Commercial, Small Scale) Zoning District for the property located at 2430 Chestnut Street, will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration. (Department of City Planning)

File 36-95-1, Resolution No. 280-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

Passed for Second Reading

[Zoning Map Amendment, 2430 Chestnut St.]

Ordinance adopting changes in property use classification as an amendment to the Zoning Map of property located at 2430 Chestnut Street, Lot 12, Assessor's Block 930 from an RH-3 District to an NC-2 Neighborhood Commercial District and adopting findings pursuant to City Planning Code Section 101.1; companion measure to File 36-95-1. (City Planning Department)

File 36-95-1.1, Ordinance No.

(Approved by City Planning Commission Resolution No. 13779.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

Adopted

[Residential Parking Area "J", Sunset/Parnassus]  
Resolution extending the boundaries of Residential Parking Area "J" in the Sunset/Parnassus Heights Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-95-7, Resolution No. 282-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

From Housing and Land Use Committee "Without Recommendation"

Adopted

[Interim Controls, Advertising Signs]  
Resolution imposing interim zoning controls to prohibit for a period of twelve months the approval of general advertising signs within 200 feet of the park known as Union Square and facing said park, except that replacement signs shall be allowed; and to delete the special exceptions from the roof sign and height limitations for general advertising signs within 200 feet of said park. (Supervisor Bierman)

File 111-95-1, Resolution No. 288-95

(General Rule Exclusion from Environmental Impact Review.)

Pursuant to City Planning Code Section 306.7, Supervisor Migden presented a report of the substance of the hearing before the Housing and Land Use Committee on the subject legislation.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Noes: Supervisor Kennedy - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Bierman assumed the Chair.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Kathy Perry, Commission on African-American;  
Dan Richards, cogeneration plant;  
Stan Smith, construction trade;  
George Bailey, youth and senior issues;  
Vic Maderas;  
Ethel Garlington;  
Louise Vaughn, Geneva Towers.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Ammiano requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Tabled

[Labor Issues]

Resolution urging that the management of Safeway, Save Mart and Lucky Food Stores to agree to mediation as the most fair and expedient means to end their lock-out and the strike by members of the United Food and Commercial Workers Union thereby benefiting the communities they serve. (Supervisors Ammiano, Alioto)

File 176-95-005, Resolution No.

(April 10, 1995 - Introduced in Board for consideration on April 17, 1995.)

Supervisor Ammiano, seconded by Supervisor Kennedy, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Kennedy, Migden, Teng - 6.

Absent: Supervisors Alioto, Hsieh, Kaufman, Leal, Shelley - 5.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Proclaim The Sleeping Beauty Day]

Resolution declaring April 26, 1993 "Helgi Tomasson's The Sleeping Beauty Day". (Supervisor Migden)

File 004-95-005, Resolution No. 253-95

(April 10, 1995 - Introduced in Board for consideration on April 17, 1995.)

Adopted.

[Federal Legislation, H.R. 1005]

Resolution opposing H.R. 1005 concerning English as the official language of the United States. (Supervisors Alioto, Bierman, Teng)

File 013-95-012, Resolution No. 276-95

(April 10, 1995 - Introduced in Board for consideration on April 17, 1995.)

Adopted.

In connection with the above item, Supervisors Teng, Bierman, requested to be added as co-sponsors.

[Grant - Federal Funds]

Resolution authorizing the Recreation and Park Department to apply for a grant in the amount of \$200,000 from the Urban Parks and Recreation Recovery Act for renovation of the soccer field at Franklin Square. (Supervisors Leal, Bierman)

File 150-95-001, Resolution No. 291-95

(April 10, 1995 - Introduced in Board for consideration on April 17, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Environmental Sustainability]

Resolution welcoming the President's Council on Sustainability to the City of San Francisco and urging the San Francisco Commission on the Environment to produce a draft long-term plan for environmental sustainability. (Supervisors Shelley, Bierman)

File 229-95-002, Resolution No. 297-95

(April 10, 1995 - Introduced in Board for consideration on April 17, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Kennedy, Migden, Teng - 6.

Absent: Supervisors Alioto, Hsieh, Kaufman, Leal, Shelley - 5.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board find by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Teng, seconded by Supervisor Kennedy, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Kennedy, Migden, Teng - 6.

Absent: Supervisors Alioto, Hsieh, Kaufman, Leal, Shelley - 5.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Teng, seconded by Supervisor Kennedy, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Kennedy, Migden, Teng - 6.

Absent: Supervisors Alioto, Hsieh, Kaufman, Leal, Shelley - 5.

Adopted

[Commend Chinese Chamber of Commerce]

Resolution commending the Chinese Chamber of Commerce for its one hundred forty-three years of service to the Chinese American Community.

File 006-95-032, Resolution No. 259-95

Supervisors Teng, Hsieh, Bierman, Shelley presented for immediate adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Kennedy, Migden, Teng - 6.

Absent: Supervisors Alioto, Hsieh, Kaufman, Leal, Shelley - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[MOU, Fiscal Provisions, Local 1305]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Automotive Machinists Union, Local 1305 and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-005.01.

[MOU, Fiscal Provisions, Local 22]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Bay Counties District Council of Carpenter's and its affiliated local unions, Local 22 and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-006.01.

[MOU, Fiscal Provisions, Local 261]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Laborers' International Union, Local 261 and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-007.01.

[MOU, Fiscal Provisions, Local 1327]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Machinists Automotive Trades District No. 190, International Association of Machinists and Aerospace Workers, Local 1327 and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-008.01.

[MOU, Fiscal Provisions, Local Union No. 3]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Operating Engineers, Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-009.01.

[MOU, Fiscal Provisions, Local 38]

Ordinance implementing the fiscal provisions of the amendment to the Memorandum of Understanding between the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-010.01.

[MOU, Fiscal Provisions, Local 580]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Cement Masons, Local 580 and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-011.01.

[MOU, Fiscal Provisions, Local 104]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Sheetmetal Workers International Association, Local 104, AFL-CIO and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-012.01.

[MOU, Fiscal Provisions, Local 6]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local 6 and the City and County of San Francisco.



Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-013.01.

[MOU, Fiscal Provisions, Local 16]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the International Alliance of Theatrical Stage Employees and Moving Picture Machine Operators of the United States and Canada, Local 16 and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-014.01.

[MOU, Fiscal Provisions, Local Union No. 3 and 36]

Ordinance implementing the fiscal provisions of the amendment to the Memorandum of Understanding between the Bricklayers, Stone Masons, Terrazza Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local Union No. 3 and Hod Carriers Local Union No. 36 and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-015.01.

[MOU, Fiscal Provisions, Local 40]

Ordinance implementing the fiscal provisions of the amendment to the Memorandum of Understanding between the United Union of Roofers, Waterproofers and Allied Workers, Local 40 and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-016.01.

[MOU, Fiscal Provisions, Local 4]

Ordinance implementing the fiscal provisions of the amendment to the Memorandum of Understanding between the Painters Union, Local 4 and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-017.01.

[MOU, Fiscal Provisions, Local Union No. 718]

Ordinance implementing the fiscal provisions of the amendment to the Memorandum of Understanding between the Glaziers, Architectural Metal and Glass Workers, Local Union No. 718 and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-018.01.

[MOU, Fiscal Provisions. Local Union No. 34]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34 and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-019.01.

[MOU, Fiscal Provisions, Teamsters Local 216]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Building Material and Construction Teamsters, Local 216, and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-020.01.

[MOU, Fiscal Provisions, Police Officers Association]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the San Francisco Institutional Police Officers Association and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-022.01.

[MOU, Fiscal Provisions, Teamsters Local 856]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Probation Officers Association, Teamsters Local 856 and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-024.01.



[MOU, Fiscal Provisions, DA Investigators]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the District Attorney Investigators Association and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-025.01.

[MOU, Fiscal Provisions, Building Inspector]

Ordinance implementing the fiscal provisions of the amendment to the Memorandum of Understanding between the Building Inspectors Association, for 6334 Chief Building Inspector and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-026.01.

[MOU, Fiscal Provisions, Building Inspectors]

Ordinance implementing the fiscal provisions of the amendment to the Memorandum of Understanding between the Building Inspectors Association, for 6331 Building Inspector and 6333 Senior Building Inspector and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-027.01.

[City Store]

Ordinance amending Administrative Code by adding Section 1.48 authorizing the Chief Administrative Officer or the Purchaser to establish a municipal store for the purpose of selling City surplus goods and souvenir merchandise bearing City marks, logos, emblems, symbols and designs to promote and advertise the City and County, offer such merchandise through direct mail catalogue programs and agreements with retailers and distributors and to ensure that departments or commissions offering goods for sale are credited with the profits from the sale of their goods. Supervisor Leal presented. Referred to Government Efficiency/Labor Committee.

File 097-95-024.

[Family Violence Council] Draft ordinance amending Chapter 5 of the Administrative Code by adding new sections to establish the Family Violence Council. Supervisor Kaufman presented. Referred to Economic Vitality/Social Policy Committee with request it be considered at the May 2, 1995 meeting.

File 097-95-025.

[Compensation, Unrepresented Employees] Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section 8.409 of the Charter, in classes not represented by an employee organization, and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1995. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 106-95-002.

Referred to Board

[Take Our Daughters to Work Day] Resolution supporting and commending "Take Our Daughters to Work Day" which empowers young girls to explore new career choices, introduces them to the work place and prepares them for the future by building confidence in their ability to succeed. Supervisors Migden, Bierman, Kaufman, Kennedy, Shelley, Ammiano, Teng, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar April 24, 1995.

File 006-95-030.

[Commend Mission Neighborhood Centers, Inc.] Resolution commemorating the contributions to the revitalization of the Mission community by the Mission Neighborhood Centers, Inc. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar April 24, 1995.

File 006-95-031

[No Fee Muni Rides]

Resolution urging the Mayor to urge the San Francisco Public Transportation Commission to urge Municipal Railway to design and implement a test of No-fee Muni Rides to gauge changes in air quality,

ridership, efficiency and traffic congestion and to apply for outside grant funding to carry out the test. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar April 24, 1995.

File 007-95-003.

[Family Support Computer System]

Resolution urging the District Attorney to request that the Department of Social Services re-negotiate the prices for the computer systems required to participate in the statewide automated child support system. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar April 24, 1995.

File 012-95-021.

[State Legislation, AB 1408]

Resolution supporting AB 1408 and urging the Mayor to direct the City's lobbyist to urge the State Legislature to support AB 1408 concerning compassionate release of terminally ill prisoners. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar April 24, 1995.

File 012-95-022.

[State Legislation, SB 889]

Resolution opposing SB 889 (Leslie) and urging the Mayor to direct the City's lobbyists to urge the State Legislature to oppose SB 889 concerning mandatory HIV testing of newborn infants. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar April 24, 1995.

File 012-95-023.

[Taxes on Banks and Insurance Companies]

Resolution urging the San Francisco Representatives in the State Legislature devise and pass any and all legislation needed to permit municipalities and counties to tax banks and insurance companies as they tax other businesses. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar April 24, 1995.

File 012-95-024.

[Federal Legislation, H.R. 1289]

Resolution opposing H.R. 1289 (Ackerman) and urging the Mayor to direct the City's Federal Legislative Representative to urge the United States Congress to oppose H.R. 1289 concerning mandatory HIV testing of newborn children. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar April 24, 1995.

File 013-95-014.

[Campaign Finance Reform Ordinance]

Resolution urging all San Franciscans not to sign any petition to repeal or suspend the Campaign Finance Reform Ordinance. Supervisors Hallinan, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar April 24, 1995.

File 060-95-002.

[Small Business Revolving Loan Program]

Substitute resolution authorizing the Mayor to apply for a loan of Section 108 Loan Guarantee Funds in a total amount not to exceed thirty million dollars (\$30,000,000) and an associated grant of economic development initiative funds in a total amount not to exceed five million dollars (\$5,000,000) both from the U.S. Department of Housing and Urban Development for a small business revolving loan program authorized under Section 108 of the Housing and Community Development Act of 1974, as amended and secured with Community Development Block Grant program funds. Indirect costs associated with the acceptance of the loan funds will be provided from the Community Development Block Grant program. Supervisor Leal presented. Referred to Board for Adoption Without Reference to Committee Calendar April 24, 1995.

File 068-95-005.

Referred to Committee

[MOU, Local 1305]

Resolution ratifying Memorandum of Understanding between the Automotive Machinists Union, Local 1305 and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-005.

[MOU, Local 22]

Resolution ratifying Memorandum of Understanding between the Bay Counties District Council of Carpenters and its affiliated local unions, Local 22 and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-006.

[MOU, Local 261]

Resolution ratifying Memorandum of Understanding between the Laborer's International Union, Local 261 and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-007.

[MOU, Local 1327]

Resolution ratifying Memorandum of Understanding between the Machinists Automotive Trades District No. 190, International Association of Machinists and Aerospace Workers, Local 1327 and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-008.

[MOU, Local Union No. 3]

Resolution ratifying Memorandum of Understanding between the Operating Engineers, Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-009.

[MOU, Local 38]

Resolution ratifying amendment to Memorandum of Understanding between the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-010.

[MOU, Local 580]

Resolution ratifying Memorandum of Understanding between the Cement Masons, Local 580 and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-011.

[MOU, Local 104]

Resolution ratifying Memorandum of Understanding between the Sheetmetal Workers International Association, Local 104, AFL-CIO and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-012.

[MOU, Local 6]

Resolution ratifying Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local 6 and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-013.

[MOU, Local 16]

Resolution ratifying Memorandum of Understanding between the International Alliance of Theatrical Stage Employees and Moving Picture Machine Operators of the United States and Canada, Local 16 and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-014.

[MOU, Local Union No. 3 and 36]

Resolution ratifying amendment to Memorandum of Understanding between the Bricklayers, Stone Masons, Terrazza Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local Union No. 3 and Hod Carriers Local Union No. 36 and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-015.

[MOU, Local 40]

Resolution ratifying amendment to Memorandum of Understanding between the United Union of Roofers, Waterproofers and Allied Workers, Local 40 and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-016.

[MOU, Local 4]

Resolution ratifying amendment to Memorandum of Understanding between the Painters Union, Local 4 and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-017.

[MOU, Local Union No. 718]

Resolution ratifying amendment to Memorandum of Understanding between the Glaziers, Architectural Metal and Glass Workers, Local Union No. 718 and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-018.

[MOU, Local Union No. 34]

Resolution ratifying Memorandum of Understanding between the Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34 and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-019.

[MOU, Teamsters Local 216]

Resolution ratifying Memorandum of Understanding between the Building Material and Construction Teamsters, Local 216 and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-020.

[MOU, Police Officers Association]

Resolution ratifying Memorandum of Understanding between the San Francisco Institutional Police Officers Association and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-022.

[MOU, Teamsters Local 856]

Resolution ratifying Memorandum of Understanding between the Probation Officers Association, Teamsters Local 856 and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-024.

[MOU, DA Investigators]

Resolution ratifying Memorandum of Understanding between the District Attorney Investigators Association and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-025.

[MOU, Building Inspector]

Resolution ratifying amendment to Memorandum of Understanding between the Building Inspectors Association, for 6334 Chief Building Inspector and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-026.

[MOU, Building Inspectors]

Resolution ratifying amendment to Memorandum of Understanding between the Building Inspectors Association, for 6331 Building Inspector and 6333 Senior Building Inspector and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-027.

[Grant - Federal and State Funds]

Resolution authorizing the Director of the Port of San Francisco to retroactively apply for, accept and expend \$1.5 million from the U.S. Department of Commerce Economic Development Administration and \$250,000 from the California Trade and Commerce Agency Office of Strategic Technology for repairs to the cranes at the Pier 70 shipyard and foregoing reimbursement of indirect costs. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at the April 25, 1995 meeting.

File 144-95-001.

[Policy for Retaining Garment Industry Jobs]

Resolution urging the Mayor's Office to continue and expand its efforts to assist Lilli Ann workers to find a buyer for Lilli Ann Corporation; further stating the intention of the City and County of San Francisco to develop policies and plans for retaining jobs in the garment industry. Supervisors Teng, Bierman, Hallinan, Ammiano presented. Referred to Government Efficiency/Labor Committee with request that hearing be held in the evening.

File 176-95-007.

Referred to Board

[Pacific Bell - Ecologically Sound Practices]

Resolution urging the Pacific Bell to implement the following: 1) stop buying paper from MacMillan Bloedel until they stop clearcutting ancient rainforests, such as Clayoquot Sound, and adopt ecologically sustainable practices, 2) stop using ancient temperate rainforest ecosystems as pulp source, 3) increase use of recycled fibers from current levels to maximum recycled content, 4) invest in the development of directory paper from alternative fibers such as Kenaf to provide future virgin fiber requirements, 5) reduce overall paper consumption by improving production efficiency, offering phone books only upon request, and in electronic and computer formats. Supervisor Hallinan presented. Referred to Board for Adoption Without Committee Reference Calendar April 24, 1995.

File 229-95-003.

Requests for Hearings:

[State Building Reconstruction] Hearing requesting the General Services Administration (GSA) to report on plans for the State Building at 450 Golden Gate Avenue and its reconstruction. Supervisor Bierman presented. Referred to Housing and Land Use Committee.

File 012-95-025.

[Subcontract Award, Municipal Court Building]

Hearing to consider the awarding of a subcontract to an out-of-state contractor to provide millwork for the new Municipal Court Building. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 172-95-016.

[Minority/Women Business Enterprise]

Hearing to consider the minority business enterprise/ women business enterprise procedures and goals for the Departments of Electricity, Telecommunications and the Purchaser's Department. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 284-95-001.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Migden presented. Referred to Board for Adoption Without Committee Reference Calendar April 24, 1995.

File 030-95-001.07.

[Management Audit, Airport]

Motion directing the Budget Analyst to perform management audit of the Airport surplus as a top priority. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar April 24, 1995.

File 165-95-002.01.

[California Winter Storms of 1995 Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the California Winter Storms of 1995. Supervisors Shelley, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar April 24, 1995.

File 270-95-003.02.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-95-012. [Settlement of Litigation, Kathryn Senn] Ordinance authorizing settlement of litigation of Kathryn Senn against the City and County of San Francisco by payment of \$45,000. (Superior Court No. 961-777) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-95-013. [Settlement of Litigation, Albert Train Marcu] Ordinance authorizing settlement of litigation of Albert Train Marcu against the City and County of San Francisco by payment of \$62,500. (Superior Court No. 951-009) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-95-014. [Settlement of Litigation, Brian Sullivan] Ordinance authorizing settlement of litigation of Brian Sullivan, et al., against the City and County of San Francisco by payment of \$295,000. (USDC No. C94-2370) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 097-95-022. [Fees, Medical Examiner-Coroner Services] Ordinance amending Administrative Code by amending Section 8.14, authorizing the Medical Examiner-Coroner to charge fees for certain services. (Chief Medical Examiner-Coroner) Referred to Budget Committee.

File 097-95-023. [Disposition of Indigent Dead] Ordinance amending Health Code by repealing Section 210, and amending Administrative Code by adding Section 6.62 to authorize the Medical Examiner to dispose of the indigent dead by burial or cremation. (Chief Medical Examiner-Coroner) Referred to Government Efficiency/Labor Committee.

Resolutions Referred to Committee

File 020-95-005. [Traffic Regulations, Egbert Avenue] Resolution authorizing the closure of Egbert Avenue, east end, at Hawes Street to create a dead-end street. (DPT Order No. 757) (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 023-95-004. [Statute of Limitations, Hom/Tagaloa] Resolution waiving the statute of limitations with respect to payment of certain warrants of the City and County of San Francisco, the sum of \$661.41 a legal obligation of the City and County of San Francisco. (Payees, Carolyn Hom/Falefasa Tagaloa) (Controller) Referred to Budget Committee.

File 025-95-006. [Prop J Contract, Legal Services, District Attorney] Resolution concurring with the Controller's certification that legal process server services can be practically performed for the District Attorney, Family Support Bureau, by a private contractor for a lower cost than similar services performed by City and County employees. (District Attorney) Referred to Government Efficiency/Labor Committee.

File 040-95-010. [Residential Parking Area "S", Duboce Triangle Area] Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and establishing a new time limitation for a certain street. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.



File 048-95-009. [Settlement of Claim, Christine Cooper] Resolution approving the settlement of the unlitigated claim of Christine Cooper in the sum of \$15,000.00 and a waiver in the amount of \$3,266.97 for Department of Public Health liens. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-95-010. [Settlement of Claim, Farmers Insurance Group] Resolution approving the settlement of the unlitigated claim of Farmers Insurance Group in the sum of \$9,754.33. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 147-95-002. [Federal Grant - Project Read] Resolution authorizing the City Librarian to apply for funds not to exceed \$28,140 available from the United States Department of Education for a Project Read Outreach Program; indirect costs of 5% are included in this grant. (Public Library) Referred to Government Efficiency/Labor Committee.

File 147-95-003. [Federal Grant - Project Read] Resolution authorizing the City Librarian to apply for funds not to exceed \$23,741 available from the United States Department of Education for a Project Read Student Support Program; indirect costs of 5% are included in this grant. (Public Library) Referred to Government Efficiency/Labor Committee.

File 147-95-004. [Federal Grant - Project Read] Resolution authorizing the City Librarian to apply for funds not to exceed \$27,211 available from the United States Department of Education for a Project Read Tutor Support Program; indirect costs of five percent included in this grant. (Public Library) Referred to Government Efficiency/Labor Committee.

File 147-95-005. [Federal Grant - Compact Disc-Interactive Program] Resolution authorizing the Public Transportation Commission to apply for, accept and expend \$70,000 of National Research Council Transportation Research Board funds, through its Transit-Idea Program, to develop a Compact Disc-Interactive (CD-I) Training Program to combat violence against Muni personnel, and waiving all indirect costs associated with the grant. (Municipal Railway) Referred to Government Efficiency/Labor Committee.

File 150-95-002. [Grant - Federal Funds] Resolution authorizing the Recreation and Park Department to apply for a grant in the amount of \$50,000 from the Urban Parks and Recreation recovery act for "Young Teens on the Move" Program. (Recreation and Park) Referred to Government Efficiency/Labor Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Alioto, that letter be sent to City Attorney inquiring as to the validity of the City's "aggressive panhandling" ordinance in light of recent U.S. Supreme Court decision upholding U.S. District Court Judge William Orrick's ruling that such laws are unconstitutional.

By Supervisor Ammiano, that City Attorney prepare ordinance which would create a Citizens Commission on Government Reform appointed by the Board of Supervisors consisting of 21 members who have expertise in the areas of consolidation and streamlining of City bureaucracy, progressive revenue enhancement options, economic development, elimination of waste and inefficiency. The Commission shall include but not be limited to, representatives from business, small business, labor, community-based organizations, neighborhood organizations, City departments. The Commission shall adopt a systematic method of reviewing departmental policies and procedures and shall make quarterly reports, consisting of a compilation of findings and suggestions, to the Board of Supervisors. All City departments are required to cooperate and participate in the Commission's endeavors.

By Supervisor Kennedy, that City Attorney provide opinion on what the Board of Supervisors can consider when reviewing Port leases under Charter Section 3.502; such as, can the supervisor consider all aspects of the proposed use or tenancy or merely the fiscal impacts of the lease; if the lease conforms to Port land use policies, is the Board to second guess such determinations or in the case of trust lands, are we limited to a review of the economic terms of the lease? A response within two weeks would be appreciated.

By Supervisor Kennedy, that City Attorney advise whether the members of the Board of Supervisors are prohibited by the Charter from participating in the Retirement System, for example, Public Employees Retirement System and the City and County; and, if not, prepare legislation which would allow members of the Board to participate in the Retirement System retroactively.

#### Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:



James L. Taylor (Supervisor Shelley)  
Cedric Walker (Supervisor Kennedy)  
Mildred Armstrong (Supervisor Kennedy)  
Mike Jones (Supervisor Migden)  
Dexter Robert Clary, Jr. (Supervisors Leal, Hallinan, Migden)  
Alan Tom (Supervisor Leal)  
Clifford Lloyd Liss (Supervisor Leal)

File 2-95-15

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:47 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 22, 1995

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



Monday, April 24, 1995

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

\_\_\_\_\_  
Monday, April 24, 1995 - 2:00 p.m.  
\_\_\_\_\_

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:04 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley, Teng - 8.

Noted absent at first roll call:

Supervisors Alioto, Leal, Migden - 3.

Quorum present.

Supervisor Leal was noted present at 2:05 p.m.

Supervisor Migden was noted present at 2:05 p.m.

Supervisor Alioto was noted present at 2:07 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Hsieh, moved that the Journal of Proceedings for Monday, March 13, 1995, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Presentation of Guests

Supervisor Kennedy introduced and welcomed Samantha Greer, representing Caring For Children.

Suspension of the Rules

Supervisor Kennedy, seconded by Supervisor Kaufman, moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Samantha Greer of "Caring For Children."

No objection and motion carried.

Ms. Greer gave brief presentation on the purpose of the organization and introduced several children from the Woo Ye Children's Center who delivered a "Get Smart For Kids Bear" to each Supervisor.

Presentation of Guests

Supervisor Hallinan introduced and welcomed the Honorable Mayor Ulysses Gonzalez, Estelee, Nicaragua.

Suspension of the Rules

Supervisor Hallinan, seconded by Supervisor Bierman moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Mayor Ulysses Gonzalez, from Sister City Estelee, Nicaragua.

No objection and motion carried.

Mayor Gonzalez brought greetings to the members of the Board of Supervisors.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Bierman requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Budget Committee

Adopted

[Acceptance of Gifts]

Resolution accepting gifts valued at \$278,000 for use by the Recreation and Park Department. (Recreation and Park Department)

File 38-95-2, Resolution No. 312-95

(City Parking Company	\$ 6,000.00
David B. Gold Foundation	\$ 10,000.00
Anonymous Donor	\$ 12,000.00
Anonymous Donor	\$100,000.00
Catherine Takamine Trust	\$150,000.00.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

The Board resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Budget Committee

Finally Passed

[Appropriation, Airport]

Ordinance appropriating \$118,499, Airport, of Airport Operating Funds, to salaries and fringe benefits for the creation of twenty-eight (28) positions and the deletion of one (1) position to implement the Master Plan and related Mitigation Program for fiscal year 1994-95. (Controller)

File 101-94-71, Ordinance No. 139-95

Finally passed.

[Public Employment, Airport]

Ordinance amending Ordinance No. 293-94 (Annual Salary Ordinance, 1994-95) reflecting the addition of twenty-eight (28) positions and the deletion of one (1) position at the San Francisco International Airport; companion measure to File 101-94-71. (Department of Human Resources)

File 102-94-12, Ordinance No. 145-95

Finally passed.

[Appropriation, Public Defender]

Ordinance appropriating \$424,154, Public Defender, from the General Fund Reserve to salaries and fringe benefits for the reduction of salary savings and creation of three (3) positions for fiscal year 1994-95. (Controller)

File 101-94-82, Ordinance No. 109-95

Finally passed.

[Public Employment, Public Defender]

Ordinance amending Ordinance No. 293-94 (Annual Salary Ordinance, 1994-95) Public Defender's Office, reflecting the addition of three (3) positions; companion measure to File 101-94-82. (Department of Human Resources)

File 102-94-13, Ordinance No. 112-95

Finally passed.

[Appropriation, Board of Supervisors]

Ordinance appropriating \$149,520, Board of Supervisors from the General Fund Reserve to professional services to allow the Budget Analyst to conduct "Zero Base" budget analysis of various City departments for fiscal year 1994-95; providing for ratification of action previously taken. (Supervisor Hsieh)

File 101-94-84, Ordinance No. 140-95

(Fiscal Impact.)

Finally passed.

[Appropriation, Trial Courts]

Ordinance appropriating and rescinding \$267,000, Trial Courts, from salaries and fringe benefits to pay fees of attorneys and expert witnesses for fiscal year 1994-95. (Controller)

File 101-94-85.1, Ordinance No. 141-95

(Fiscal Impact.)

Finally passed.

[Appropriation, Fire Department]

Ordinance appropriating \$52,000, Fire Department, of 1992 Fire Protection Bond proceeds for Capital Improvement Project (design of Fire Station 41) for fiscal year 1994-95. (Controller)

File 101-94-86.1, Ordinance No. 142-95

(Fiscal Impact.)

Finally passed.

[Appropriation, Department of Public Works]

Ordinance appropriating and certifying \$26,634, Department of Public Works, for Capital Improvement Project (sewer repair) to cover ten (10) percent overage as per Charter Section 7.203, providing for ratification of action previously taken, for fiscal year 1994-95. (Controller)

File 101-94-87, Ordinance No. 143-95

(Fiscal Impact.)

Finally passed.

[Appropriation, Juvenile Probation Department]

Ordinance appropriating \$1,415,990, Juvenile Probation Department, of Federal Subvention Revenue for facilities maintenance at the Youth Guidance Center and Log Cabin Ranch for fiscal year 1994-95; placing \$440,000 on reserve. (Controller)

File 101-94-88, Ordinance No. 110-95

(Fiscal Impact.)

Finally passed.

[Overtime Expenditures, Bi-Annual Report]

Ordinance amending Administrative Code, requiring all City departments to bi-annually report overtime expenditures in excess of five percent (5%) of budgeted straight-time wages to the Board of Supervisors and analyze whether hiring additional employees would be more cost effective than the overtime hours. (Supervisors Hsieh, Alioto, Bierman, Teng)

File 97-94-82, Ordinance No. 138-95



(Amends Section 18.13.)

Finally passed.

[Home Ownership Assistance Loan Fund]

Ordinance amending Administrative Code, to allow monies from the Home Ownership Assistance Loan Fund to be loaned to nonprofit corporations for (i) the purchase of housing units for resale to low and moderate income households and (ii) curing defaults on senior loans on housing units which have received secondary City financing; and to designate the Mayor's Office of Housing, or its successor, as the administrator of that fund. (Supervisors Ammiano, Bierman)

File 97-95-14, Ordinance No. 150-95

(Amends Section 10.117-76.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Airport Lease Modification, United Air Lines]

Ordinance approving retroactively, Modification No. 11 of Lease and Use Agreement between United Air Lines, Inc. and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-95-7, Ordinance No. 146-95

(Fiscal Impact.)

Finally passed.

[Settlement of Litigation, Tina Milla Sosa]

Ordinance authorizing settlement of litigation of Tina Milla Sosa against the City and County by payment of \$10,000. (City Attorney)

File 45-95-10, Ordinance No. 148-95

(Superior Court No. 963-609.)

Finally passed.

[Settlement of Litigation, M. E. Washington]

Ordinance authorizing settlement of litigation of Michael Eugene Washington against the City and County by payment of \$29,000 and waiver of medical lien in the amount of \$3,696.14. (City Attorney)

File 45-95-11, Ordinance No. 149-95

(Superior Court No. 945-999.)

Finally passed.

[Litigation, CCSF v. Fischer & Porter/Reliance]

Ordinance authorizing settlement of litigation of the City and County against Fischer & Porter Company; and Reliance Insurance Company for \$200,000 plus parts valued at approximately \$175,000. (City Attorney)

File 46-95-5, Ordinance No. 137-95

(U.S. District Court, Northern District of California, No. C 93-0385 CAL.)

Finally passed.

[Joint Fundraising Drive, 1995]

Ordinance amending Administrative Code, establishing the schedule for the conduct of the Annual Joint

Fundraising Drive, by amending the schedule to provide later deadlines for filing applications to participate and for designating participating agencies for the 1995 annual drive only. (Supervisor Hallinan)

File 97-95-17, Ordinance No. 151-95

(Amends Section 16.93-4.)

Finally passed.

Adopted

[Settlement of Claim]

Resolution approving the settlement of the unlitigated claim of Geico Insurance in the sum of \$13,000.00. (City Attorney)

File 48-95-6, Resolution No. 314-95

Adopted.

Recommendation of Housing and Land Use Committee

Finally Passed

[Zoning Map Amendment, 2430 Chestnut St.]

Ordinance adopting changes in property use classification as an amendment to the Zoning Map of property located at 2430 Chestnut Street, Lot 12, Assessor's Block 930 from an RH-3 District to an NC-2 Neighborhood Commercial District and adopting findings pursuant to City Planning Code Section 101.1. (City Planning Department)

File 36-95-1.1, Ordinance No. 147-95

(Approved by City Planning Commission Resolution No. 13779.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Budget Committee

Passed for Second Reading as Amended

[Appropriation, District Attorney]

Ordinance appropriating \$533,277, District Attorney of Federal revenue and rescinding \$59,253 from other non-personal services to fund \$592,530 of computer equipment for the Statewide Automated Child Support System for the District Attorney-Family Support Office, for fiscal year 1994-95; placing \$592,530 on reserve. (Controller)

File 101-94-80, Ordinance No.

(Fiscal Impact.)

(April 17, 1995 - Consideration continued to April 24, 1995.)

Supervisor Teng, seconded by Supervisor Kaufman moved to amend title, line 3, after "1994-95" by adding "placing \$592,530 on reserve"; amend line 15 by adding "Section 2. That the total amount of \$592,530 be placed on reserve pending renegotiation of contract prices and specifications by the State Department of Social Services. The offices of the Controller and Budget Analyst shall review the renegotiated contract for suitability of equipment specifications and prices and shall make recommendations regarding release of the reserved funds to the Budget Committee."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Finally Passed

[Appropriation, Recreation and Park]

Ordinance appropriating \$325,000, Recreation and Park Department from the Special Revenue Fund (rent credit from the San Francisco 49'ers) to make capital improvements to Candlestick Park; placing \$141,000 on reserve. (Supervisor Kaufman)

File 101-94-89, Ordinance No. 144-95

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Recommendations of Government Efficiency and Labor Committee

Rereferred to Committee

[Major League Team Professional Athlete]

Ordinance amending Administrative Code, to require that all contracts and leases and other agreements by which the City permits City facilities to be used by professional, major league sports teams include a provision that requires such teams for more than one year to use major league quality athletes. (Supervisor Ammiano)

File 97-95-13, Ordinance No.

(Adds Section 6.61.)

(April 17, 1995 - Consideration continued to April 24, 1995.)

Supervisor Ammiano, seconded by Supervisor Teng moved to rerefer to Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Recommendation of Economic Vitality and Social Policy Committee

Passed for Second Reading as Amended

[Business Improvement Procedure Code]

Ordinance amending Part III, Municipal Code, which would authorize property owners to petition the Board of Supervisors to form business improvement districts and authorize the Board of Supervisors, by specified procedures, to form one or more business improvement district(s) and to levy business improvement assessments on property within such districts. (Supervisor Kaufman)

File 127-95-2, Ordinance No.

(Enacts a new Article 15, Sections 1510 through 1591.)

(April 17, 1995 - Consideration continued to April 24, 1995.)

Supervisor Kaufman, seconded by Supervisor Leal, moved an amendment of the whole bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Supervisor Kaufman, seconded by Supervisor Kennedy, moved to amend page 31, line 22, after "regulations," by adding a sentence to read: "The Mayor's Office of Business and Community Development shall consult with the Human Rights Commission to ensure that the rules and regulations adopted pursuant to this section are consistent with the City's human rights policies."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Noes: Supervisors Ammiano, Bierman - 2.

Recommendation of Housing and Land Use Committee

Consideration Continued

[Rent Control]

Ordinance amending Administrative Code, to prohibit the Rent Board from issuing rules that treat newly-created units differently than other units subject to rent control in determining whether rent increases are justified. (Supervisors Bierman, Teng)

File 109-95-3, Ordinance No.

(Amends Section 37.6.)

(March 20, 1995 - Supervisor Leal was excused from voting.)  
(April 10, 1995 - Consideration continued to April 24, 1995.)

Supervisor Bierman, seconded by Supervisor Kaufman, moved to continue consideration to May 1, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Excused: Supervisor Leal - 1.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Rent Board]

Ordinance appropriating \$44,718, Rent Board, Special Fund Revenue to salaries, materials and supplies, and services of other departments to allow the Rent Board to implement Proposition I and \$38,000 for the purchase of new equipment for fiscal year 1994-95. (Controller)

File 101-94-90, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Appropriation, Mayor's Office]

Ordinance appropriating \$35,000, Mayor's Office, from the General Fund Reserve to non-personal services to provide funding for the Mobilization Against AIDS through the Community United Against Violence for fiscal year 1994-95. (Supervisor Alioto)

File 101-94-92, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Appropriation, Human Resources]

Ordinance appropriating \$636,638, Department of Human Resources, from the General Fund Reserve, for the costs of collective bargaining under Proposition F. (Supervisor Kaufman)

File 101-94-94, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Parking Rates for Special Events]

Ordinance amending Administrative Code, to permit the Parking Authority Commission to adjust rates charged at public off-street parking facilities temporarily on account of a special event. (Supervisor Migden)

File 97-95-11, Ordinance No.

(Fiscal Impact.)

(Amends Section 17.17.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

(Supervisor Bierman dissenting in Committee.)

[General Grant Levels]

Ordinance amending Administrative Code, (General Assistance Ordinance) relating to the computation of aid grants. (Department of Social Services)

File 97-95-19, Ordinance No.

(Amends Section 20.57.)

Passed for second reading by the following vote:

Ayes: Supervisors Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 8.

Noes: Supervisors Alioto, Ammiano, Bierman - 3.

#### Recommendations of Rules Committee

##### Adopted

[Appointment, Bicycle Advisory Committee]

Resolution appointing member to the Bicycle Advisory Committee, for three-year term ending December 31, 1997. (Rules Committee)

File 92-94-68, Resolution No. 300-95

(Kevin A. Davidson, Seat No. 24301 - Bike Industry, vice David Lipsky, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

##### Rereferred to Committee

[Appointments, Animal Control and Welfare Commission]

Resolution appointing four members to the Animal Control and Welfare Commission, terms expired, for two-year terms ending April 30, 1997. (Rules Committee)

File 92-95-16, Resolution No.

(Vickie Ho Lynn, Seat No. 20703, Public-at-large, vice Debra M. Fila;  
Lorraine Lucas, Seat No. 20704, Public-at-large, vice Mark S. Hamilton;  
Althea T. Kippes, Seat No. 20705, Public-at-large, vice Dolly B. Trauner;  
Richard Wyatt Schulke, Seat No. 20706, Public-at-large, vice Stanley Mahy.)

Supervisor Kennedy, seconded by Supervisor Ammiano, moved to rerefer to Rules Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Conference with Labor Negotiator - Collective Bargaining

Adopted

Motion that the Board of Supervisors convene in closed session with Wendell Pryor, Director of Human Resources for the purpose of reviewing the City's position and instructing its designated representatives concerning collective bargaining negotiations involving all forms of compensation (including wages, hours, benefits, and working conditions), with all recognized employee organizations, as authorized by California Government Code Section 54957.6.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors Alioto, Hallinan, Teng - 3

Recess

The Board recessed at the hour of 3:53 p.m. to convene in closed session pursuant to above motion.

Reconvening the Board

The Board, at the hour of 4:29 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Hallinan, Hsieh, Leal, Migden, Shelley, Teng - 8.

Noted Absent:

Supervisors Alioto, Kaufman, Kennedy - 3.

Quorum present:

Supervisor Alioto noted present at 4:44 p.m.

Supervisor Kaufman noted present at 4:30 p.m.

Supervisor Kennedy noted present at 4:44 p.m.

Report on Closed Session

The President reported that the Board met in closed session with Wendell L. Pryor, Director of Human Resources, for the purpose of reviewing the City's position and instructing its designated representatives concerning collective bargaining negotiations involving all forms of compensation (including wages, hours, benefits, and working conditions), with all recognized employee organizations, as authorized by California Government Code Section 54957.6.

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations in pending employee relations negotiations.

Supervisor Migden, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Alioto, Kennedy - 2.

SPECIAL ORDER 3:00 P.M.

Hearing Closed

[Public Hearing]

Hearing confirming Report of Assessment Costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

File 41-95-1

The President inquired if anyone present wished to speak:

There being no one present to speak, the President declared the hearing closed.

From the Department of Public Works

Adopted as Amended

[Assessment Costs, Sidewalk/Curb Repairs]

Resolution confirming report of Assessment Costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

File 41-95-1, Resolution No. 313-95

Supervisor Migden, seconded by Supervisor Kaufman, moved to amend report to delete the following four properties: 1112 Noriega Street, 1125 Noriega Street, 669 Shrader Street and 220 Rutledge Street. Resolution amended to reflect deletions by amending title, line 1, after "costs" by inserting "as amended"; amend line 13, after "268,547" by inserting "as amended" and amend line 15, after "Costs" by inserting "as amended".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

COMMITTEE REPORTS

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair.

Recommendations of Government Efficiency and Labor Committee

Adopted

[Memorandum of Understanding, Local 1305]

Resolution ratifying Memorandum of Understanding between the Automotive Machinists Union, Local 1305 and the City and County. (Supervisor Shelley)

File 93-95-5, Resolution No. 318-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Automotive Machinists Union, Local 1305 and the City and County; companion measure to File 93-95-5. (Supervisor Shelley)

File 93-95-5.1, Ordinance No.

Passed for second reading by the following vote:



Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Memorandum of Understanding, Local 22]

Resolution ratifying Memorandum of Understanding between the Bay Counties District Council of Carpenters and its Affiliated Local Unions, Local 22 and the City and County. (Supervisor Shelley)

File 93-95-6, Resolution No. 319-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Bay Counties District Council of Carpenters and its Affiliated Local Unions, Local 22 and the City and County; companion measure to File 93-95-6. (Supervisor Shelley)

File 93-95-6.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Memorandum of Understanding, Local 261]

Resolution ratifying Memorandum of Understanding between the Laborer's International Union, Local 261 and the City and County. (Supervisor Shelley)

File 93-95-7, Resolution No. 320-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Laborer's International Union, Local 261 and the City and County; companion measure to File 93-95-7. (Supervisor Shelley)

File 93-95-7.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Memorandum of Understanding, Local 1327]

Resolution ratifying Memorandum of Understanding between the Machinists Automotive Trades District No. 190, International Association of Machinists and Aerospace Workers, Local 1327 and the City and County. (Supervisor Shelley)

File 93-95-8, Resolution No. 321-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Machinists Automotive Trades District No. 190, International Association of Machinists and Aerospace Workers, Local 1327 and the City and County; companion measure to File 93-95-8. (Supervisor Shelley)

File 93-95-8.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Memorandum of Understanding, Local Union No. 3]

Resolution ratifying Memorandum of Understanding between the Operating Engineers, Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO and the City and County. (Supervisor Shelley)

File 93-95-9, Resolution No. 322-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Operating Engineers, Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO and the City and County; companion measure to File 93-95-9. (Supervisor Shelley)

File 93-95-9.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Memorandum of Understanding, Local 38]

Resolution ratifying Amendment to Memorandum of Understanding between the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 and the City and County. (Supervisor Shelley)

File 93-95-10, Resolution No. 323-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Amendment to the Memorandum of Understanding between the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 and the City and County; companion measure to File 93-95-10. (Supervisor Shelley)

File 93-95-10.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Memorandum of Understanding, Local 580]

Resolution ratifying Memorandum of Understanding between the Cement Masons, Local 580 and the City and County. (Supervisor Shelley)

File 93-95-11, Resolution No. 324-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Cement Masons, Local 580 and the City and County; companion measure to File 93-95-11. (Supervisor Shelley)

File 93-95-11.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted As Amended

[Memorandum of Understanding, Local 104]

Resolution ratifying Memorandum of Understanding between the Sheetmetal Workers International Association, Local 104, AFL-CIO and the City and County. (Supervisor Shelley)

File 93-95-12, Resolution No. 325-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Motion to Rescind

Supervisor Kennedy, seconded by Supervisor Teng, moved to rescind the previous vote.

Motion to rescind the previous vote adopted by the following vote:

Ayes: Supervisors, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 9.

Absent: Supervisors Alioto, Migden - 2.

Supervisor Kennedy, seconded by Supervisor Teng, moved to amend title, line one, after "understanding" by adding "as amended" and line 14, after "understanding" by adding "as amended".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

Passed for Second Reading As Amended

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Sheetmetal Workers International Association, Local 104, AFL-CIO and the City and County; companion measure to File 93-95-12. (Supervisor Shelley)

File 93-95-12.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Motion to Rescind

Supervisor Kennedy, seconded by Supervisor Teng, moved to rescind the previous vote.

Motion to rescind the previous vote adopted by the following vote:

Ayes: Supervisors, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 9.

Absent: Supervisors Alioto, Migden - 2.

Supervisor Shelley, seconded by Supervisor Leal, moved to amend title, line 3, after "Understanding" by inserting "as amended" and amend line 7, after "Understanding" by inserting "as amended".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

Adopted

[Memorandum of Understanding, Local 6]

Resolution ratifying Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local 6 and the City and County. (Supervisor Shelley)

File 93-95-13, Resolution No. 326-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local 6 and the City and County; companion measure to File 93-95-13. (Supervisor Shelley)

File 93-95-13.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Memorandum of Understanding, Local 16]

Resolution ratifying Memorandum of Understanding between the International Alliance of Theatrical Stage Employees and Moving Picture Machine Operators of the United States and Canada, Local 16 and the City and County. (Supervisor Shelley)

File 93-95-14, Resolution No. 327-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

[Fiscal Provisions]  
Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the International Alliance of Theatrical Stage Employees and Moving Picture Machine Operators of the United States and Canada, Local 16 and the City and County; companion measure to File 93-95-14. (Supervisor Shelley)

File 93-95-14.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Memorandum of Understanding, Local Union Nos. 3 and 36]  
Resolution ratifying Amendment to Memorandum of Understanding between the Bricklayers, Stone Masons, Terrazza Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local Union No. 3 and Hod Carriers Local Union No. 36 and the City and County. (Supervisor Shelley)

File 93-95-15, Resolution No. 328-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

[Fiscal Provisions]  
Ordinance implementing the fiscal provisions of the Amendment to the Memorandum of Understanding between the Bricklayers, Stone Masons, Terrazza Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local Union No. 3 and Hod Carriers Local Union No. 36 and the City and County; companion measure to File 93-95-15. (Supervisor Shelley)

File 93-95-15.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Memorandum of Understanding, Local 40]  
Resolution ratifying Amendment to Memorandum of Understanding between the United Union of Roofers, Waterproofers and Allied Workers, Local 40 and the City and County. (Supervisor Shelley)

File 93-95-16, Resolution No. 329-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

[Fiscal Provisions]  
Ordinance implementing the fiscal provisions of the Amendment to the Memorandum of Understanding between the United Union of Roofers, Waterproofers and Allied Workers, Local 40 and the City and County; companion measure to File 93-95-16. (Supervisor Shelley)

File 93-95-16.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Memorandum of Understanding, Local 4]  
Resolution ratifying Amendment to Memorandum of Understanding between the Painters Union, Local 4 and the City and County. (Supervisor Shelley)

File 93-95-17, Resolution No. 330-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

[Fiscal Provisions]  
Ordinance implementing the fiscal provisions of the Amendment to the Memorandum of Understanding between the Painters Union, Local 4 and the City and County; companion measure to File 93-95-17. (Supervisor Shelley)

File 93-95-17.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Memorandum of Understanding, Local Union No. 718]  
Resolution ratifying Amendment to Memorandum of Understanding between the Glaziers, Architectural Metal and Glass Workers, Local Union No. 718 and the City and County. (Supervisor Shelley)

File 93-95-18, Resolution No. 331-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

[Fiscal Provisions]  
Ordinance implementing the fiscal provisions of the Amendment to the Memorandum of Understanding between the Glaziers, Architectural Metal and Glass Workers, Local Union No. 718 and the City and County; companion measure to File 93-95-18. (Supervisor Shelley)

File 93-95-18.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Memorandum of Understanding, Local Union No. 34]  
Resolution ratifying Memorandum of Understanding between the Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34 and the City and County. (Supervisor Shelley)

File 93-95-19, Resolution No. 332-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34 and the City and County; companion measure to File 93-95-19. (Supervisor Shelley)

File 93-95-19.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Memorandum of Understanding, Teamsters Local 216]

Resolution ratifying Memorandum of Understanding between the Building Material and Construction Teamsters Local 216 and the City and County. (Supervisor Shelley)

File 93-95-20, Resolution No. 299-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Building Material and Construction, Teamsters Local 216 and the City and County; companion measure to File 93-95-20. (Supervisor Shelley)

File 93-95-20.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Memorandum of Understanding, Police Officers Association]

Resolution ratifying Memorandum of Understanding between the San Francisco Institutional Police Officers Association and the City and County. (Supervisor Shelley)

File 93-95-22, Resolution No. 333-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Institutional Police Officers Association and the City and County; companion measure to File 93-95-22. (Supervisor Shelley)

File 93-95-22.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Memorandum of Understanding, Probation Officers Association]

Resolution ratifying Memorandum of Understanding between the Probation Officers Association, Teamsters Local 856 and the City and County. (Supervisor Shelley)



File 93-95-24, Resolution No. 334-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Probation Officers Association, Teamsters Local 856 and the City and County; companion measure to File 93-95-24. (Supervisor Shelley)

File 93-95-24.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Memorandum of Understanding, DA Investigators Association]

Resolution ratifying Memorandum of Understanding between the District Attorney Investigators Association and the City and County. (Supervisor Shelley)

File 93-95-25, Resolution No. 335-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the District Attorney Investigators Association and the City and County; companion measure to File 93-95-25. (Supervisor Shelley)

File 93-95-25.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Memorandum of Understanding, Building Inspector]

Resolution ratifying amendment to the Memorandum of Understanding between the Building Inspectors Association for 6334 Chief Building Inspector and the City and County. (Supervisor Shelley)

File 93-95-26, Resolution No. 336-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

[Fiscal Provisions]

Ordinance implementing the fiscal provisions of the amendment to the Memorandum of Understanding between the Building Inspectors Association for 6334 Chief Building Inspector and the City and County; companion measure to File 93-95-26. (Supervisor Shelley)

File 93-95-26.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Memorandum of Understanding, Chief Building Inspector]  
Resolution ratifying amendment to Memorandum of Understanding between the Building Inspectors Association and the City and County for 6334 Chief Building Inspector awarded by the panel of arbitrators. (Department of Human Resources)

File 93-95-4, Resolution No. 316-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

[Fiscal Provisions]  
Ordinance amending Ordinance No. 317-94 implementing fiscal provisions of Memorandum of Understanding between the Building Inspectors Association for 6334 Chief Building Inspector and the City and County awarded by the arbitration panel; companion measure to File 93-95-4. (Department of Human Resources)

File 93-95-4.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Memorandum of Understanding, Building Inspectors]  
Resolution ratifying amendment to the Memorandum of Understanding between the Building Inspectors Association, for 6331 Building Inspector and 6333 Senior Building Inspector and the City and County. (Supervisor Shelley)

File 93-95-27, Resolution No. 337-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

[Fiscal Provisions]  
Ordinance implementing the fiscal provisions of the amendment to the Memorandum of Understanding between the Building Inspectors Association, for 6331 Building Inspector and 6333 Senior Building Inspector and the City and County; companion measure to File 93-95-27. (Supervisor Shelley)

File 93-95-027.01, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Memorandum of Understanding, Building Inspectors]  
Resolution ratifying amendment to Memorandum of Understanding between the Building Inspectors Association and the City and County for 6331 Building Inspector and 6333 Senior Building Inspector awarded by the panel of arbitrators; companion measure to File 93-95-4. (Department of Human Resources)

File 93-95-4.2, Resolution No. 317-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

[Fiscal Provisions]

Ordinance amending Ordinance No. 316-94 implementing the fiscal provisions of Memorandum of Understanding between the Building Inspectors Association for 6331 Building Inspector and 6333 Senior Building Inspector and the City and County awarded by the arbitration panel; companion measure to File 93-95-4.2. (Department of Human Resources)

File 93-95-4.3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Salary Standardization]

Ordinance fixing compensation for persons employed by the City and County whose compensations are subject to the provisions of Section 8.409 of the Charter, in classes not represented by an employee organization, and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1995. (Supervisor Shelley)

File 106-95-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Man, support recreation and parks program  
Margaret Rideham, support recreation and parks program  
Julia Tetsloff, oppose recreation and parks cuts  
Robin Wadsworth, oppose recreation and parks cuts  
Cecilia Shepherd, oppose recreation and parks cuts  
Michael Hopper, oppose recreation and parks cuts  
Kevin Kelleman, oppose recreation and parks cuts  
Robin Smith, oppose recreation and parks cuts  
Ms. Dawson, oppose recreation and parks cuts  
Mr. Yee, oppose recreation and parks cuts  
Greg Garth, oppose recreation and parks cuts  
Mark Evans, Pacific Bell purchase of Rainforest products  
Giovanni, oppose recreation and parks cuts  
Emily, Pacific Bell purchase of Rainforest products  
Woman, oppose recreation and parks cuts

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Ammiano requested that the following measures be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Tabled

[Taxes on Banks and Insurance Companies]

Resolution urging the San Francisco Representatives in the State Legislature devise and pass any and all legislation needed to permit municipalities and counties to tax banks and insurance companies as they tax other businesses. (Supervisors Ammiano, Bierman)

File 012-95-024, Resolution No.

(April 17, 1995 - Introduced in Board for consideration on April 24, 1995.)

Supervisor Ammiano, seconded by Supervisor Leal, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Alioto, Teng - 2.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Hsieh requested that the following measure be severed from For Adoption Without Committee Reference Calendar and considered separately.

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair so the President could participate in the debate from the floor.

Referred to Committee

[Management Audit, Airport]

Motion directing the Budget Analyst to perform management audit of the Airport surplus as a top priority. (Supervisor Shelley)

File 165-95-002.01

(April 17, 1995 - Introduced in Board for consideration on April 24, 1995.)

Supervisor Hsieh requested that this item be rerefer to Committee.

After a brief period of discussion, Supervisor Shelley, seconded by Supervisor Ammiano, moved to suspend the rules requiring reference to committee.

Motion to suspend the rules requiring reference to committee was refused adoption by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley - 7.

Noes: Supervisors Hsieh, Kennedy - 2.

Absent: Supervisors Alioto, Teng - 2.

The subject matter was referred to Rules Committee.

The President resumed the Chair.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Bierman requested that the following measure be severed from For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[California Winter Storms of 1995 Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the California Winter Storms of 1995. (Supervisors Shelley, Teng)

File 270-95-003.02

(April 17, 1995 - Introduced in Board for consideration on April 24, 1995.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors Alioto, Bierman, Teng - 3.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Take Our Daughters to Work Day]

Resolution supporting and commending "Take Our Daughters to Work Day" which empowers young girls to explore new career choices, introduces them to the work place and prepares them for the future by building confidence in their ability to succeed. (Supervisors Migden, Bierman, Kaufman, Kennedy, Shelley, Ammiano, Teng, Alioto, Leal)

File 006-95-030, Resolution No. 304-95

(April 17, 1995 - Introduced in Board for consideration on April 24, 1995.)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[Commend Mission Neighborhood Centers, Inc.]

Resolution commemorating the contributions to the revitalization of the Mission community by the Mission Neighborhood Centers, Inc. (Supervisors Shelley, Alioto, Bierman, Leal)

File 006-95-031, Resolution No. 305-95

(April 17, 1995 - Introduced in Board for consideration on April 24, 1995.)

Adopted.

In connection with the above item, Supervisors Bierman, Leal requested to be added as co-sponsors.

[No Fee Muni Rides]

Resolution urging the Mayor to urge the San Francisco Public Transportation Commission to urge Municipal Railway to design and implement a test of No-fee Muni Rides to gauge changes in air quality, ridership, efficiency and traffic congestion and to apply for outside grant funding to carry out the test. (Supervisor Shelley)

File 007-95-003, Resolution No. 307-95

(April 17, 1995 - Introduced in Board for consideration on April 24, 1995.)

Adopted.

[Family Support Computer System]

Resolution urging the District Attorney to request that the Department of Social Services re-negotiate the prices for the computer systems required to participate in the statewide automated child support system. (Supervisor Teng)

File 012-95-021, Resolution No. 308-95

(April 17, 1995 - Introduced in Board for consideration on April 24, 1995.)

Adopted.

[State Legislation, AB 1408]

Resolution supporting AB 1408 and urging the Mayor to direct the City's lobbyist to urge the State Legislature to support AB 1408 concerning compassionate release of terminally ill prisoners. (Supervisor Alioto)

File 012-95-022, Resolution No. 309-95

(April 17, 1995 - Introduced in Board for consideration on April 24, 1995.)

Adopted.

[State Legislation, SB 889]

Resolution opposing SB 889 (Leslie) and urging the Mayor to direct the City's lobbyist to urge the State Legislature to oppose SB 889 concerning mandatory HIV testing of newborn infants. (Supervisors Alioto, Bierman)

File 012-95-023, Resolution No. 310-95

(April 17, 1995 - Introduced in Board for consideration on April 24, 1995.)

Adopted.

[Federal Legislation, H.R. 1289]

Resolution opposing H.R. 1289 (Ackerman) and urging the Mayor to direct the City's Federal Legislative Representative to urge the United States Congress to oppose H.R. 1289 concerning mandatory HIV testing of newborn children. (Supervisors Alioto, Bierman)

File 013-95-014, Resolution No. 311-95

(April 17, 1995 - Introduced in Board for consideration on April 24, 1995.)

Adopted.

[Campaign Finance Reform Ordinance]

Resolution urging all San Franciscans not to sign any petition to repeal or suspend the Campaign Finance Reform Ordinance. (Supervisors Hallinan, Alioto)

File 060-95-002, Resolution No. 338-95

(April 17, 1995 - Introduced in Board for consideration on April 24, 1995.)

Adopted.

[Small Business Revolving Loan Program]

Resolution authorizing the Mayor to apply for a loan of Section 108 Loan Guarantee Funds in a total amount not to exceed thirty million dollars (\$30,000,000) and an associated grant of economic development initiative funds in a total amount not to exceed five million dollars (\$5,000,000) both from the U.S. Department of Housing and Urban Development for a small business revolving loan program authorized under Section 108 of the Housing and Community Development Act of 1974, as amended and secured with Community Development Block Grant program funds. Indirect costs associated with the acceptance of the loan funds will be provided from the Community Development Block Grant program. (Supervisor Leal)

File 068-95-005, Resolution No. 315-95

(April 17, 1995 - Introduced in Board for consideration on April 24, 1995.)

Adopted.

[Pacific Bell - Ecologically Sound Practices]

Resolution urging the Pacific Bell to implement the following: stop buying paper from MacMillan Bloedel until they stop clearcutting ancient rainforests, such as Clayoquot Sound, and adopt ecologically sustainable practices; stop using ancient temperate rainforest ecosystems as pulp source; increase the use of recycled fibers from current levels to maximum recycled content; invest in the development of directory paper from alternative fibers such as Kenaf to provide future virgin fiber requirements; reduce overall paper consumption by improving production efficiency, offering phone books only upon request, and in electronic and computer formats. (Supervisors Hallinan, Alioto)

File 229-95-003, Resolution No. 339-95

(April 17, 1995 - Introduced in Board for consideration on April 24, 1995.)

Adopted.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Migden)

File 030-95-001.07

(April 17, 1995 - Introduced in Board for consideration on April 24, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Alioto, Teng - 2.

#### IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-16, Resolution No. 269-95

Adopted.

(Willie B. Kennedy, member, Board of Supervisors, April 26 - April 30, May 10 - May 13; Lucille Abrahamson, member, Human Rights Commission, April 27 - May 4; Preston Cook, Commissioner, Port of San Francisco April 21 - April 30; Kathryn Fong, member, Human Rights Commission, April 22 - 30; Ghada N. Saliba, member, Human Rights Commission, April 21 - 24, 1995.)

[Commendation]

Resolution commending Mr. Bill Haskell for his outstanding service to the Department of Public Health and the City and County, and declaring Friday, April 28, 1995 as "Bill Haskell Day" in the City and County of San Francisco. (Supervisor Alioto)

File 6-95-33, Resolution No. 270-95

Adopted.

[State Legislation, AB 1559]

Resolution urging the California State Legislature to adopt Assembly Bill 1559 (Burton) to allow counties the option of extending aid to families with dependent program eligibility to families actively participating in reunification programs. (Supervisors Ammiano, Bierman)

File 12-95-26, Resolution No. 274-95

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Alioto, Teng - 2.

#### IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt motion (a) or motion (b) and then adopt motion (c). Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

Adopted

[Purely Commendatory Finding]

Motion that the Board find by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Kennedy, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:



Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Alioto, Teng - 2.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Kennedy, seconded by Supervisor Hallinan, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Alioto, Teng - 2.

Adopted

[Commend Shelley Salieri]

Resolution commending Shelley Salieri and expressing sincere and heartfelt appreciation for all her myriad contributions to society and to the lives of her many friends, and wishing her a speedy recovery.

File 006-95-035, Resolution No. 271-95

Supervisors Hallinan, Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Alioto, Teng - 2.

[Commemorating Dolores Huerta]

Resolution recognizing Dolores Huerta's 65th birthday, her social justice work and leadership role on behalf of agricultural workers, women, latinos and disenfranchised people.

File 006-95-036, Resolution No. 272-95

Supervisors Leal, Ammiano, Teng, Bierman, Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Alioto, Teng - 2.

[United Nations Charter Signing]

Resolution commemorating and celebrating the 50th Anniversary of the signing of the United Nations Charter in San Francisco.

File 006-95-037, Resolution No. 273-95

Supervisor Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Alioto, Teng - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[Contract on America Day]

Resolution designating May 6, 1995 as "Defeat the Contract on America" Day in San Francisco, and supporting a national day of mass action, march and rally to defeat the "Contract on America". Supervisor Hallinan presented. Referred to Board for Adoption Without Committee Reference Calendar May 1, 1995.

File 004-95-006.

[Commend, The Fromm Institute]

Resolution commemorating the 20th Anniversary of the Fromm Institute for Lifelong Learning and declaring May 6, 1995, as "The Fromm Institute For Lifelong Learning Day in San Francisco". Supervisors Kaufman, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar May 1, 1995.

File 004-95-007.

[Water Awareness Month]

Resolution supporting local water organizations in their efforts to make Water Awareness Month during the month of May a success and to help Californians support the "Use Water Wisely -- It's a Way of Life" campaign. Supervisor Migden presented. Referred to Board for Adoption Without Committee Reference Calendar May 1, 1995.

File 004-95-008.

[Asian Pacific Heritage Month]

Resolution designating May 1995 as Asian Pacific Heritage Month. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar May 1, 1995.

File 004-95-009.

[Commend Mrs. Elouise Morris-Westbrook]

Resolution commending Mrs. Elouise Morris-Westbrook for her tireless efforts to improve the general welfare of the citizens of Bayview Hunter's Point and the citizens of San Francisco and congratulating her on the significant occasion of her 80th birthday. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar May 1, 1995.

File 006-95-034.

[San Francisco Bay Conservation]

Resolution memorializing the merger of the San Francisco Bay Conservation and Development Commission into other state agencies. Supervisors Kennedy, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar May 1, 1995.

File 012-95-027.

[Residential Treatment Settings]

Resolution urging the City's lobbyist in Sacramento to seek necessary legislative action to facilitate the establishment of residential care settings for the chronically ill (RCF-CI). Supervisor Migden presented. Referred to Board for Adoption Without Committee Reference Calendar May 1, 1995.

File 012-95-028.

[State Legislation, AJR 18]

Resolution memorializing and endorsing AJR 18 (Caldera) a joint resolution memorializing Congress not to repeal or weaken the Federal Assault Weapons Ban enacted in 1994. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar May 1, 1995.

File 012-95-029.

Referred to Committee

[Neighborhood Recycling Centers]

Resolution urging the retention of San Francisco's neighborhood recycling centers at their existing locations and calling upon the office of the Chief Administrative Officer and its Solid Waste Program, and Recreation and Park Commission to assist in the preservation of community recycling centers, and urging any entity promoting the displacement of said recycling centers to do everything in their power to retain a much needed service amid a dense urban environment. Supervisors Hallinan, Bierman, Ammiano presented. Referred to Government Efficiency/Labor Committee with request it be considered at its May 9, 1995 meeting.

File 057-95-002.

[Appropriation, Police Department]

Resolution urging the Mayor to urge the Police Commission to submit a supplemental appropriation to provide the Bomb Squad of the Police Department with a new bomb-disarming robot, five protective gear (bomb suits) for members of the Bomb Squad, and four starlight scopes. Supervisors Kaufman, Teng, Shelley presented. Referred to Budget Committee with request it be considered at the May 3, 1995 meeting.

File 101-94-095.

Referred to Board

["Youthbuild" Program]

Resolution expressing support for the establishment of a "Youthbuild" program in San Francisco under the auspices of New College of California and encouraging City and County departments, community agencies and San Francisco's Federal lobbyist to cooperate in this effort. Supervisors Ammiano, Bierman, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar May 1, 1995.

File 219-95-002.

[Internet E-mail]

Resolution agreeing to the San Francisco State University's offer to provide Internet electronic mail to City Hall offices that currently have the hardware and software necessary to participate. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar May 1, 1995.

File 227-95-002.01.

[Bicycle Racks]

Resolution urging the War Memorial Board of Trustees and the Veterans building management to make available to the public secure bicycle racks to encourage bicycle use by people coming to City Hall. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar May 1, 1995.

File 230-95-001.

Requests for Hearings:

[Taxes on Banks and Insurance Companies]

Hearing to consider seeking a change in state law to permit San Francisco to directly tax banks and insurance companies instead of receiving in lieu payment from the State of California. Supervisor Ammiano presented. Referred to Budget Committee.

File 012-95-024.01.

[Taxicab Safety Legislation]

Hearing to consider issues regarding taxicab safety legislation. Supervisor Shelley presented. Referred to Health/Public Safety/Environment Committee.

File 121-95-002.

[Surplus Corbett School Site]

Hearing to consider the surplus Corbett School site and environmental concerns regarding that site. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 211-95-003.

Motions

Referred to Committee

[Board Meeting-Sunset Community]

Motion ordering the June 12, 1995 meeting of the San Francisco Board of Supervisors to be held at the Irish Cultural Center, 2700-45th Avenue, in the Sunset District of San Francisco. Supervisor Shelley presented. Referred to Rules Committee with request it be considered at the May 2, 1995 meeting.

File 054-95-006.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 036-95-002.01. [Zoning Map Amendment, Jamestown Avenue/Harney Way] Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located at the intersection of Jamestown Avenue and Harney Way, Lot 8, Assessor's Block 4977 and Lot 8, Assessor's Block 5023, from an RH-1 District to an C-2 District and adopting findings pursuant to Planning Code Section 101.1; companion measure to File 36-95-2. (Department of City Planning) Referred to Housing and Land Use Committee.

File 097-95-026. [Assessment Appeals Board Fees] Ordinance amending Administrative Code Section 2B.9 to waive the filing fee for an application for reduction of assessment where the application is accompanied by a stipulation with the Assessor and the application is filed after the Assessment Appeals Board has reduced the assessment for a prior tax year, amending Section 2B.10 to allow refund of only half of the hearing fee where the applicant prevails and obtains a reduction from the Assessment Appeals Board, amending Section 2B.12 to allow the Board of Supervisors to create a third Assessment Appeals Board where necessary to provide timely assessment appeal hearings, amending Section 2B.13 to allow Assessment Appeals Board Nos. 2 and 3 to hear appeals involving property of any type on the secured or unsecured roll assessed at \$30,000,000 or less, and amending Section 2B.18 to require the Assessment Appeals Board to accept recommendations of hearing officers as to which there is no timely objection. (Also see File 92-94-46.1) (Clerk of the Board) Referred to Budget Committee.

File 097-95-027. [Environmental Review Fees] Ordinance amending Administrative Code by amending Section 31.36A, to institute new fees, increase fees, modify fees and extend the period certain fees are charged for environmental review procedures. (Also see File 115-95-1.) (Department of City Planning) Referred to Budget Committee.

File 106-95-003. [Compensation, Superior Court, FY 1994-95] Ordinance setting schedules of compensation and other economic benefits for certain classifications of persons employed by the Superior Court for the City and County of San Francisco. (Municipal Court) Referred to Government Efficiency/Labor Committee.

File 106-95-004. [Compensation, Superior Court, FY 1995-96] Ordinance setting schedules of compensation and other economic benefits for certain classifications of persons employed by the Superior Court for the City and County of San Francisco. (Municipal Court) Referred to Government Efficiency/Labor Committee.

File 106-95-005. [Compensation, Municipal Court, FY 1994-95] Ordinance setting schedules of compensation and other economic benefits for persons employed by the Municipal Court for the City and County of San Francisco. (Municipal Court) Referred to Government Efficiency/Labor Committee.

File 115-95-002. [Planning Fees and Initiation of Amendments] Ordinance amending City Planning Code by amending Articles 2, 3, and 3.5A, to authorize citizens to request amendments to the City Planning Code, to impose new fees, change the amount of fees currently charged relating to Department of City Planning actions, activities and services. (Also see File 97-95-27.) (Department of City Planning) Referred to Budget Committee.

File 118-95-001. [Enforcement of Smoking Prohibitions] Ordinance amending Part II, Chapter V of the San Francisco Municipal Code (Health Code), by adding Article 19G, consisting of Section 1009.40, to provide for enforcement by the San Francisco Public Health and Police Departments of California Labor Code Section 6404.5 regarding smoking in enclosed places of employment. (Department of Public Health) Referred to Health/Public Safety/Environment Committee.

File 124-95-001. [Police Vehicle Parking, Harriet Street] Ordinance amending Traffic Code Section 32.6.3 to modify Police vehicle parking regulations on Harriet Street. (DPT Order No. 789) (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

Resolutions Referred to Committee

File 025-95-007. [Prop J Contract, Airport Bus Operations] Resolution approving the Controller's certification that shuttle bus services for San Francisco International Airport can practically be performed by private contractor at a lower cost for the fiscal year commencing July 1, 1995 than if work were performed by City and County employees. (Airport) Referred to Government Efficiency/Labor Committee.

File 025-95-008. [Prop J Contract, Security Guard Services] Resolution concurring with the Controller's certification that armed security guard services can be practically performed for the District Attorney, Family Support Bureau, by a private contractor for a lower cost than similar services performed by City and County employees. (District Attorney) Referred to Government Efficiency/Labor Committee.

File 028-95-008. [Emergency Repair, Harry W. Tracy Water Plant] Resolution authorizing expenditure of funds for emergency repairs at Harry W. Tracy Water Treatment Plant. (Public Utilities Commission) Referred to Budget Committee.

File 028-95-009. [Emergency Repair, Post Street Sewer] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Post Street between Lyon Street and Presidio Avenue - \$111,910. (Department of Public Works) Referred to Budget Committee.

File 036-95-002. [Final Neg Declaration, Jamestown Ave/Harney Way] Resolution adopting Final Negative Declaration, finding and determining that reclassification of property from a RH-1 (House, One Family) Residential District to a C-2 (Community Business) District of property located at the northeast corner of Jamestown Avenue and Harney Way, Lot 8 in Assessor's Block 4977 and Lot 8 in Assessor's Block 5023 will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration; companion measure to File 36-95-2.1. (Department of City Planning) Referred to Housing and Land Use Committee.

File 092-94-046.01. [Appointments, Assessment Appeals Board] Resolution clarifying Resolution 827-94 appointing alternate members to the Assessment Appeals Board. (Also see File 97-95-26) (Clerk of the Board) Referred to Rules Committee.

File 133-95-003. [Disaster Relief Fund] Resolution authorizing the Chief Administrative Officer and other designated City and County officials to execute and file, on behalf of the City and County of San Francisco, Department of Public Works, an application for Federal and State financial assistance under the Robert T. Stafford Federal Disaster Relief and Emergency Assistance Act and the State Natural Disaster Assistance Act for funds as a result of the 1995 late winter storms. (Chief Administrative Officer) Referred to Government Efficiency/Labor Committee.

File 170-95-004. [Sewer Revenue Bonds, Series 1995] Supplemental resolution providing for the issuance of not to exceed \$62,500,000 aggregate initial principal amount of City and County of San Francisco Sewer Revenue Bonds, Series 1995 (supplemental to Resolution No. 656-92, adopted August 3, 1992 and Resolution No. 58-94, adopted January 24, 1994) authorizing execution of Sales Certificate and amending certain provisions of Resolution No. 656-92 in connection therewith; companion measure to File 170-95-4.1. (Chief Administrative Officer) Referred to Budget Committee with request it be considered at the May 3, 1995 meeting.

File 170-95-004.01. [Sewer Revenue Bonds, Series 1995] Resolution authorizing and directing the sale of not to exceed \$62,500,000 aggregate initial principal amount of one or more subseries of City and County of San Francisco Sewer Revenue Bonds, Series 1995; approving the forms of the notice of sale and the notice of intention to sell relating thereto; authorizing the publication of the notice of intention to sell; approving the form of the official statement; approving the forms of the bond reserve fund surety policies; consenting to submission of bid by financial advisor; and authorizing official action. (Chief Administrative Officer) Referred to Budget Committee with request it be considered at the May 3, 1995 meeting.

File 190-95-003. [Bicycle Locker Rental] Resolution approving bicycle locker rental rates for all bicycle lockers rented by the City and County of San Francisco. (Also see File 133-93-1.1) (Department of Parking and Traffic) Referred to Budget Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Hallinan, that City Attorney provide opinion concerning what constitutes a meeting required to be public under the Brown Act as amended and the Sunshine Ordinance.

By Supervisor Kaufman, that City Attorney prepare ordinance which would establish a mandatory schedule whereby the Budget Analyst conducts management audits for all city departments, including the Port, Redevelopment Agency, Housing Authority and the Transportation Authority.

By Supervisor Kaufman, that City Attorney prepare appropriate legislation to ask the Residential Rent and Arbitration Board to promulgate rules that prohibit pass-throughs on low income residential dwelling units for business improvement district assessments.

By Supervisor Teng, that City Attorney prepare legislation enabling the Electronic Information Purchasing Steering Committee (EIPSC) through the Office of the Controller to extend the responsibilities of EIPSC to include evaluation and oversight of electronic equipment procurement conducted through or in conjunction with State or Federal agencies and projects and that a comprehensive listing of all such contracts be submitted to the Budget Analyst for review with the following information included: equipment prices and of advertised prices for comparable equipment; training and staff requirements for use and support of proposed software and equipment; software application compatibility with San Francisco standards; software application compatibility with Standard Query Language (SQL) standards; long range system support costs to be borne by the County; existence of cost-efficient alternatives to achieve stated project objectives; compliance with VDT ordinance.



Monday, April 24, 1995

By Supervisor Shelley, that letter of inquiry be sent to Chief of Police for comment and suggestions for implementation of the taxicab safety legislation.

By Supervisor Hsieh, that letter be sent to Controller requesting his review and report to the Budget Committee on the feasibility of establishing a city administrative office building in the Civic Center. File 186-95-1.

By Supervisor Kaufman, that letter of inquiry be sent to Juvenile Probation Officer to determine whether courses on sensitivity to the diverse needs of youths are incorporated as part of the regular staff training sessions for the department.

By Supervisor Kaufman, that letter be sent on behalf of the Board of Supervisors to Mayor Ron Norick, expressing the Board's sympathy to the family, friends and citizens of the recent tragedy in Oklahoma City.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Al Trigueiro (Supervisors Kaufman, Shelley)  
Pauline Blum Frank (Supervisor Bierman)  
Diane Camp Jenkerson (Supervisor Kennedy)  
Anna McKnight (Supervisor Kennedy)  
Adam Francis Harrington (Supervisor Leal)  
Sister Mary Alexis (Supervisor Leal)  
Victims of the Oklahoma incident (By the entire Board)

File 2-95-15

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 6:04 p.m. adjourned.

Jean Lum, Acting Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 30, 1995

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors









